



भारत का राजपत्र The Gazette of India

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सं. 5] नई दिल्ली, शनिवार, फरवरी 2, 1985/माघ 13, 1906
No. 5] NEW DELHI, SATURDAY, FEBRUARY 2, 1985/MAGHA 13, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate collation

भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-section (II)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, 18 जनवरी, 1985

सूचना

का. आ. 402.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री एस. डब्ल्यू. दातार, वकील, 1116-ए, सदाशिव पेठ, पूने-411030, ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया जा रहा है कि उसे पूने सिटी कैंट, पिंपरी चिंचवाड व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5(83)/84-न्या०]

एस. गुप्ता, सक्षम प्राधिकारी

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Department of Legal Affairs)

New Delhi, the 18th January, 1985

NOTICE

S.O. 402.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri S. W. Datar, advocate, 1116-A, Sadashiv Peth, Pune-411030 for appointment as a Notary to practise in Pune City, Cantt. Pimpri-Chinchwad.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(83)/84-Judl.]
S. GOOPTU, Competent Authority

भारत मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 18 जनवरी, 1985

आदेश

स्टाम्प

का. आ. 403.—भारतीय स्टाम्प अधिनियम, 1899(1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा

शक्तियों का प्रयोग करते हुए केंद्रीय सरकार एतद्वारा मै. टाटा कौमक्स लि., बम्बई को मात्र छब्बीस लाख पच्चीस हजार रुपये के उस समेकित स्टाम्प शुल्क का अदायगी की अनुमति देती है जो उक्त कम्पनी द्वारा जारी किए जाने वाले पैंतीस करोड़ रुपये के एकल मूल्य के ऋण पत्रों (क्र.सं. 1 से 35,00,000 तक) के रूप में बन्धपत्रों पर प्रभार्य है।

[सं. 5/85-स्टाम्प-फा.सं. 33/64/84]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 18th January, 1985

ORDER

STAMPS

S.O. 403.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Tata Chemicals Limited, Bombay, to pay consolidated stamp duty of twenty six lakhs twenty five thousand rupees only, chargeable on account of the stamp duty on bonds in the form of debentures (Serial Numbers 1 to 35,00,000) of the face value of thirty five crores of rupees to be issued by the said Company.

[No. 5/85-Stamp-F. No. 33/64/84]

का.भा. 404.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार एतद्वारा मै. टाटा आयरन एंड स्टील कम्पनी लि. को केवल अठारह लाख पचहत्तर हजार रुपये के उस समेकित स्टाम्प शुल्क की अदायगी करने की अनुमति देती है जो उक्त कम्पनी द्वारा पच्चीस करोड़ रुपये (श्रृंखला-1 क्र.सं. 50,00,001 से 75,00,000 तक) के एकल मूल्य के प्रतिभूत असम्परिवर्तनीय ऋणपत्रों के रूप में जारी किए जाने वाले ऋण पत्रों पर स्टाम्प शुल्क के रूप में प्रभार्य है।

[सं. 4/85-स्टाम्प-फा.सं. 33/46/84-वि.क.]

भगवान दास, अवर सचिव

S.O. 404.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Tata Iron and Steel Company Limited to pay consolidated stamp duty of Eighteen lakhs seventy five thousand rupees only chargeable on account of the stamp duty on bonds in the form of secured non-convertible debentures (Series I-Serial Nos. 50,00,001 to 75,00,000) of the face value of Twenty five crores of rupees to be issued by the said Company.

[No. 4/85-Stamp-F. No. 33/46/84-ST]

BHAGWAN DAS, Under Secy.

केंद्रीय प्रत्यक्ष कर बोर्ड
नई दिल्ली, 19 दिसंबर, 1984
(आयकर)

का. भा. 405.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस संबंध में पिछली सभी अधिसूचनाओं का अधिक्रमण कर हुए केंद्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निवेश देता है कि नीचे दी गई अनुसूची के स्तम्भ 1 में विनिर्दिष्ट रेंजों के अपीलीय सहायक आयकर आयुक्त, आयकर से निर्धारित उन सभी व्यक्तियों और आय को छोड़कर जिन पर क्षेत्राधिकार आयकर आयुक्त (अपेक्ष) में निहित है, उक्त अनुसूची के स्तम्भ (2) की तरतबंदी, प्रविष्टि में विनिर्दिष्ट आयकर परिमंडलों, बाडों और जिलों में आयकर से निर्धारित सभी व्यक्तियों और आय के संबंध में अपने कार्य करेंगे।

अनुसूची

रेंज	आयकर परिमंडल व.डें तथा जिले
1	2
अपीलीय सहायक	(1) कंपनी जिला I
आयकर आयुक्त रेंज-1	(2) कंपनी जिला II
	(3) कंपनी जिला III
	(4) कंपनी जिला IV
	(5) कंपनी जिला V
	(6) विदेश अनुभाग
	(7) विदेशी कंपनी परिमंडल-I
	(8) विदेशी कंपनी परिमंडल-II
	(9) सहकारी आवास समिति-I
	(10) सहकारी समिति परिमंडल
	(11) जूट परिमंडल
	(12) विशेष परिमंडल-VIII (कंपनी जिला—V)
	(13) विशेष परिमंडल-I
	(14) विशेष जांच परिमंडल-
	(15) विशेष जांच परिमंडल-II
	(16) कंपनी जिला VI
अपीलीय सहायक आयकर	(1) जिला—VIII
आयुक्त रेंज-II	
अपीलीय सहायक	(1) जिला I (1)
आयकर आयुक्त	(2) विशेष सर्वेक्षण परिमंडल VII
रेंज-III	(3) सिनेमा परिमंडल
अपीलीय सहायक	(1) जिला III (1)
आयकर आयुक्त रेंज-IV	
अपीलीय सहायक	(1) जिला III (2)
आयकर आयुक्त रेंज-V	(2) विशेष जांच परिमंडल-III
	(3) विशेष परिमंडल III (जिला V)
	(2)
	(4) विशेष परिमंडल-VI

1	2
अपीलीय सहायक आयकर आयुक्त रेंज—VI	(2) जिला V (1) (2) विशेष परिमंडल VII
अपीलीय सहायक आयकर आयुक्त रेंज-VII	(1) सर्वेक्षण परिमंडल
अपीलीय सहायक आयकर आयुक्त रेंज-VIII	(1) जिला I (2) (2) जिला I (4)
अपीलीय सहायक आयकर आयुक्त रेंज-IX	(1) जिला III-ए (2) वापसी परिमंडल, (3) आर. एम. एस. सी. (4) सी. एस. सी. (5) न्यास परिमंडल (6) बीमा एजेंट परिमंडल (7) विशेष परिमंडल V
अपीलीय सहायक आयकर आयुक्त रेंज-X	(1) परियोजना परिमंडल (2) परियोजना परिमंडल-I (3) परियोजना परिमंडल-II (4) अंडमान और निकोबार द्वीप समूह
अपीलीय सहायक आयकर आयुक्त रेंज-XI	(1) जिला II (1) (2) विशेष सर्वे. प. III (3) वि. स. प. IV (4) वि. स. प. III
अपीलीय सहायक आयकर आयुक्त रेंज-XII	(1) जिला-VII (2) मुजिबाबाद (3) नाखिया
अपीलीय सहायक आयकर आयुक्त रेंज-XIII	(1) जिला VI (2) जिला IV (3)
अपीलीय सहायक आयकर आयुक्त रेंज-XIV	(1) जिला हावड़ा (2) विशेष सर्वेक्षण परिमंडल-IX (3) विशेष परिमंडल-IV, हावड़ा (4) विशेष परिमंडल V, हावड़ा (5) विशेष परिमंडल-VI (6) जिला Vए (7) चार्टर्ड एकाउंटेंट परिमंडल
अपीलीय सहायक आयकर आयुक्त रेंज-XV	(1) जिला IV (2) (2) विशेष परिमंडल-II (3) जिला III (3)
अपीलीय सहायक आयकर आयुक्त रेंज-XVI	(1) जिला I (3) (2) जिला IV (1) (3) जिला V (2) (4) विशेष परिमंडल-IX
अपीलीय सहायक आयकर आयुक्त रेंज-XVII	(1) जिला VI

1	2
अपीलीय सहायक आयकर आयुक्त रेंज-XVIII	(1) जिला 24 परगना (2) विशेष सर्वेक्षण परिमंडल-2VIII
अपीलीय सहायक आयकर आयुक्त रेंज-जलपाईगुड़ी	(1) जलपाईगुड़ी (2) कूच-बिहार (3) दार्जिलिंग (4) सिलिगुड़ी (5) विशेष परिमंडल, सिलिगुड़ी (6) पश्चिमी विनाजपुर और मालदा (7) विशेष परिमंडल-VIII (8) कालिम्पोंग
अपीलीय सहायक आयकर आयुक्त रेंज-आसनसोल	(1) आसनसोल (2) बर्दवान (3) मिदनापुर (4) बीरभूम (5) बांकुरा (6) पुर्निया (7) कुर्गपुर (8) हुगली (9) हल्दिया

यतः कोई आयकर परिमंडल, बाईं अथवा जिला अथवा उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज में अंतरित कर दिया जाता है, उस आयकर परिमंडल, बाईं अथवा जिले अथवा उसके किसी भाग में किए गए कर-निर्धारणों से उत्पन्न होने वाली और इस अधिसूचना की तारीख से तत्काल पूर्व रेंज के उस अपीलीय सहायक आयुक्त के समक्ष विचाराधीन पड़ी अपीलें, जिसके अधिकार क्षेत्र से उस आयकर परिमंडल, बाईं अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो, इस अधिसूचना के लागू होने की तारीख से रेंज के उस अपीलीय सहायक आयुक्त को अंतरित की जाएंगी और उसके द्वारा निपटाई जाएंगी, जिसके अधिकार-क्षेत्र में उक्त परिमंडल, बाईं अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो।

यह अधिसूचना 1-1-1985 से लागू होगी।

[सं. 6074 (फा. सं. 261/1/84-आ. क. म्या.)]

कल्याण चन्द, अवर सचिव
केन्द्रीय प्रत्यक्ष कर बोर्ड

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 19th December, 1984

(INCOME-TAX)

S.O. 405.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all the previous Notifications in this regard the Central Board of Direct Taxes, hereby directs that Appellate Assistant Commissioner of Income-tax of the Range specified in column 1 of the Schedule below shall perform their functions in respect of all persons and

incomes assessed to Income-tax in the Income Tax Circles, Wards and Districts Specified in the corresponding entry in Column 2 thereof excluding all persons and incomes assessed to Income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeal).

SCHEDULE

Range	Income Tax Circles/Wards & Districts
1	2
A.A.C. R-I	1. Comp. Dist. I. 2. Comp. Dist. II. 3. Comp. Dist. III. 4. Comp. Dist. IV. 5. Comp. Dist. V. 6. Foreign Section. 7. Foreign Companies Circle-I. 8. Foreign Companies Circle-II. 9. Co-operative Housing Circle. 10. Co-operative Societies Circle. 11. Jute Circle. 12. Special Circle-VIII (Comp. Dist. V) 13. Special Circle-I. 14. Special Investigation Circle-I. 15. Special Investigation Circle-II. 16. Companies Dist. VI.
A.A.C. R-II.	1. Dist.-VIII.
A.A.C. R-III.	1. Dist. I (1) 2. Special Survey Circle VII. 3. Cinema Circle.
A.A.C. R-IV.	1. Dist. III (I)
A.A.C. R-V	1. Dist. III (2). 2. Special Investigation Circle-III. 3. Special Circle III (Dist. V(2)). 4. Special Circle-VI.
A.A.C. R-VI	1. Dist. V(I). 2. Special Circle VII.
A.A.C. R-VII	1. Survey Circle.
A.A.C. R-VIII.	1. Dist. I(2). 2. Dist. I(4).
A.A.C. R-IX.	1. Dist. IIIA. 2. Refund Circle. 3. R.M.S.C. 4. C.S.C. 5. Trust Circle. 6. Insurance Agents Circle. 7. Special Circle V.
A.A.C. R-X	1. Project Circle. 2. Project Circle-I. 3. Project Circle-II. 4. Andaman & Nicobar Islands.
A.A.C. R-XI	1. Dist. II(1). 2. Special Survey Circle-III. 3. Special Survey Circle-IV. 4. Special Circle-III.
A.A.C. R-XII	1. Dist. VII 2. Murshidabad. 3. Nadia.
A.A.C. R-XIII	1. Dist. VI 2. Dist. IV (3).

1	2
A.A.C.R-XIV	1. Dist. Howrah. 2. Special Survey Circle-IX. 3. Special Circle-IV, Howrah. 4. Special Circle V Howrah. 5. Special Circle-IV 6. Dist. VA. 7. Chartered Accountant's Circle.
A.A.C. R-XV	1. Dist. IV(2). 2. Special Circle-II. 3. Dist. III(3).
A.A.C. R-XVI	1. Dist. I(3). 2. Dist. IV(1). 3. Dist. V(2). 4. Spl. Circle-IX.
A.A.C. R-XVII	1. Dist. VI.
A.A.C. R-XVIII	1. Dist. 24 Pgs. 2. Special Survey Circle-VIII.
A.A.C. R-Jal.	1. Jalpaiguri. 2. Cochin-Bihar. 3. Darjeeling. 4. Siliguri. 5. Special Circle, Siliguri. 6. West Dinajpur & Maldah. 7. Special Circle-VIII. 8. Kalimpong.
A.A.C. R-Asansol	1. Asansol. 2. Burdwan. 3. Midnapore. 4. Birhum. 5. Bankura. 6. Purulia. 7. Durgapur. 8. Hooghly. 9. Haldia.

Whereas the Income-tax Circles, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of the assessments made in that Income Tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the Appellate Assistant Commissioner of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall from the date of this notification takes effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from the 1-1-1985.

[No. 6074(F. No. 261/1/84-ITJ)]

KALYAN CHAND, Under Secy.
Central Board of Direct Taxes.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 10 जनवरी, 1985

का. आ. 406.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री राम प्रकाश सिंह को काशी ग्रामीण बैंक,

वाराणसी (उत्तर प्रदेश) का अध्यक्ष नियुक्त करती है तथा पहली अक्टूबर, 1984 से प्रारम्भ होकर 21 अक्टूबर, 1987 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री राम प्रकाश सिंह अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2—74/81—प्रार. प्रार. बो.]

वीणा उपाध्याय, प्रवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 10th January, 1985

S.O. 406.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri Ram Prakash Singh, as the Chairman of the Kushi Gramin Bank, Varanasi (U.P.) and specifies the period commencing on the 1st October 1984 and ending with the 31st October 1987 as the period for which the said Shri Singh shall hold office as such Chairman.

[No. F. 2-74/81-RRB]

VEENA UPADHYAYA, Under Secy.

नई दिल्ली, 11 जनवरी, 1985

का.आ. 407.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उप-बंध) स्कीम, 1970 के खण्ड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार निदेश देती है कि भारत सरकार वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की दिनांक 18 जनवरी, 1982 के का.आ. संख्या 419 (संख्या एफ 9/25/81-बी.ओ.-1) के तहत जारी की गयी अधिसूचना को अनुसार सेंट्रल बैंक आफ इंडिया में निदेशक के रूप में नियुक्त किये गए निम्नलिखित व्यक्ति 18 जनवरी, 1985 से निदेशक नहीं रहेंगे, अर्थात्—

1. श्री गोपी दगन,
लिनोलियम शोरूम,
एम-44, कनाउट सर्कस,
नई दिल्ली-110001
2. श्री रवि कृष्ण दत्त,
कृषक,
"कृष्णा विलास"
गाजिपुर-233001 (उत्तर प्रदेश)
3. श्री बी. चटर्जी,
सनदी लेखाकार,
द्वारा मैसर्स एल.बी.सा एंड कं.,
8, कामैक स्ट्रीट,
दूसरी मंजिल,
कलकत्ता-700017 पश्चिम बंगाल
4. श्री डी. जे. वैष्णव,
गांधी आश्रम,
गंगापुर,
पी.ओ. धिनोज, ता-चानासमा,
जिला मेहसाणा, (गुजरात)

5. श्री. योगेन्द्र पी. त्रिवेदी,
एडवोकेट,
23, "एटलान्टा",
नरीमन प्वाइंट,
बम्बई-400021. (महाराष्ट्र)

6. श्री बी.एल. पासी,
लघु-उद्योगपति,
डी-258, डिफेंस कालोनी,
नई दिल्ली-110024

7. श्री एस. दास गुप्ता,
सामाजिक कार्यकर्ता,
माइकेल जॉन स्मिथ भवन,
राजेन्द्र पथ,
पोस्ट बाक्स नं. 22,
धनबाद (बिहार)

[सं. एफ. 9/2/85-बी.ओ.-I(1)]

New Delhi, the 11th January, 1985

S.O. 407.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government is pleased to direct that the following persons appointed as Directors of the Central Bank of India under notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) S.O. No. 419 (No. F. 9/25/81-BO. I) dated 18th January, 1982 shall cease to hold the office of Director with effect from 18th January, 1985, namely:—

1. Shri Gopi Dargan,
Linoleum Showroom,
M-44, Connaught Circus,
New Delhi-110001.
2. Shri Ravi Krishna Datta,
Agriculturist,
'Krishna Vilas',
Ghaziपुर-233001 (U.P.).
3. Shri D. Chatterji,
Chartered Accountant,
C/o M/s. L. B. Jha & Co.,
8, Camac Street, 2nd Floor,
Calcutta-700017 (W.B.).
4. Shri D. J. Vaishnev,
Gandhi Ashram, Gangapura,
P.O. Dhinoj, Ta-Chanasma,
District Mehsana (Gujarat).
5. Shri Yogendra P. Trivedi,
Advocate, 23, 'Atlanta',
Nariman Point,
Bombay-400021 (Maharashtra).
6. Shri B. L. Passi,
Small Scale Industrialist,
D-258, Defence Colony,
New Delhi-110024.
7. Shri S. Das Gupta,
Social Worker, Michael John,
Smriti Bhawan, Rajendra Path,
Post Box No. 22,
Dhanbad (Bihar).

[No. F. 9/2/85-B.O. I(1)]

का.आ. 408.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार निदेश देती है कि भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की दिनांक 18 जनवरी, 1982 के का.आ. संख्या 418 (संख्या एक. 9/29/81-बी.ओ.) के तहत जारी की गयी अधिसूचना के अनुसार यूनाइटेड कमर्शियल बैंक में निदेशक के रूप में नियुक्त किये गए निम्नलिखित व्यक्ति 18 जनवरी, 1985 से निदेशक नहीं रहेंगे, अर्थात्—

1. शेख अनवर अली,
मर्चेंट एण्ड एजेंट,
44-बी, शमशुल हुदा रोड,
कलकत्ता-700017 (पश्चिम बंगाल),
2. श्री दशरथ मेरली,
जुनापदार,
पी.ओ. जमगांव,
जिला बालंगीर,
पिन-767001 (उड़ीसा),
3. श्री अब्दुर रज्जाक खानसारी,
अध्यक्ष,
वी छोटा नागपुर रीजनल
हैंडलूम वीवर की-आपरेटिव
सूशियस लि.,
बहु बाजार, रांची,
(बिहार),
4. श्री के. के. मेहरा,
सनदी लेखाकार,
रेजिडेंसी रोड,
श्रीनगर (जम्मू तथा कश्मीर),
5. श्री सत्य पाल,
एपीजे प्राइवेट लि.,
एपीजे प्लेस, प्रगति भवन,
जय सिंह रोड,
नई दिल्ली-110001,
6. श्री पन्ना लाल गुप्ता,
सलाहकार,
सोनिय इंटरनेशनल,
मोती महल,
195, चर्च गेट रिक्लेमेशन,
बम्बई-400020 (महाराष्ट्र),
7. श्री मोती सिंह,
गांव तथा डाक खाना जाइला,
तहसील नवां शहर,
जिला अमृतसर (पंजाब),

8. श्री विद्युत बोस,

पी-18, मोती जल एवेन्यू,
कलकत्ता-700074 (पश्चिम बंगाल)।

[सं. एक. 9/2/85-बी.ओ. I (2)]

S.O. 408.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government is pleased to direct that the following persons appointed as Directors of the United Commercial Bank of India under Notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) S.O. No. 418 (No. F. 9/29/81-BO. I) dated 18th January, 1982 shall cease to hold the office of Director with effect from 18th January, 1985, namely —

1. Shaikh Anwar Ali,
Merchant & Agent,
44B, Shamsul Huda Road,
Calcutta-700017 (W.B.),
2. Shri Dasharath Merli,
At Junapadar,
P.O. Jamgaon,
District Balangir,
Pin. 767001 (Orissa),
3. Shri Abdur Razzaque Ansari,
Chairman,
The Chotanagpur Regional
Handloom Weavers Cooperative Union Ltd.,
Bahu Bazar, Ranchi, Bihar,
4. Shri K. K. Mehra,
Chartered Accountant,
Residency Road,
Srinagar (Jammu & Kashmir),
5. Shri Satya Paul,
Apcejay Pvt. Ltd.,
Apcejay Place,
Pragati Bhawan,
Jai Singh Road,
New Delhi-110001,
6. Shri Panna Lal Gupta,
Consultant,
Zenith International,
Moti Mahal,
195, Churchgate Reclamation,
Bombay-400020 (Maharashtra),
7. Shri Moti Singh,
Village & P.O. Jidla,
Tehsil Nawan Shehar,
District Jullundur (Punjab),
8. Shri Bidyut Bose,
P-18, Motijheel Avenue,
Calcutta-700074 (W.B.).

[No. F. 9/2/85-BO. I(2)]

का.आ. 409.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार निदेश देती है कि भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की दिनांक 22 जनवरी, 1982 के का.आ. संख्या 420 (संख्या एक. 9/26/81-बी.ओ.-1) के तहत जारी की गयी अधिसूचना के अनुसार बैंक आफ इंडिया में निदेशक के रूप में नियुक्त

किये गए निम्नलिखित व्यक्ति 23 जनवरी, 1985 से निदेशक नहीं रहेंगे, अर्थात्—

1. श्री प्रेम भार. गुप्त,
अध्यक्ष एवं प्रबंध निदेशक,
मैसर्स पोलिफार्म प्राइवेट लिमिटेड,
कैलकट हाऊस, तामरिंड स्ट्रीट,
बम्बई-400023 (महाराष्ट्र),
2. श्री गया प्रसाद शुक्ल,
भूतपूर्व प्रमुख जिला परिषद,
कचहरी रोड,
राय बरेली (उत्तर प्रदेश),
3. श्री जयदेव बघेल,
मूर्तिकार,
कांस्य तथा पीतल धातु,
भेलवापादार पाड़ा,
पोस्ट कोडागांव-494226,
जिला बस्तर (मध्य प्रदेश),
4. श्री आर.एस. लोघ,
चार्टर्ड एकाउंटेंट,
लोघ एण्ड कम्पनी,
14 गवर्नमेंट प्लेस ईस्ट,
कलकत्ता-700001 (पश्चिम बंगाल),
5. श्री अपूर्व शाह,
अध्यक्ष एवं प्रबंध निदेशक,
मैसर्स गुजरात स्टील ट्यूब लि.,
पोस्ट बाक्स संख्या 114, बध्रा,
अहमदाबाद-380001 (गुजरात),
6. श्री कमल किशोर गुप्त,
प्रबंध निदेशक,
द्वारकानाथ स्टील स्ट्रिप लि.,
सी-36, औद्योगिक एरिया,
मेरठ रोड,
गाजियाबाद-201003 (उत्तर प्रदेश),
7. श्री जगदीश राय जैन,
प्रबंध निदेशक,
अजन्ता ट्यूब्स लि.,
डी-20, कनाउट प्लेस,
नई दिल्ली-110001,
8. श्री आर. रंगास्वामी,
सामाजिक कार्यकर्ता,
45, रोपापेटा हाई रोड,
मद्रास-600014 (तमिलनाडु)।
[सं.एफ 9/2/85/बी.ओ. I (3)]

S.O. 409.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government is pleased to direct that the following persons appointed as Directors of the Bank of India under notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) S. O. No. 420 (No. F. 9/26/81-BO. I) dated 22nd January, 1982 shall cease to hold the office of Director with effect from 23rd January, 1985, namely:—

1. Shri Prem R. Gupta,
Chairman & Managing Director,
Polypharam Pvt. Ltd.,
Calcut House,
8, Tamarind Street,
Bombay-400023 (Maharashtra).
2. Shri Gaya Prasad Shukla,
Ex-Chief, Zila Parishad,
Kachari Road,
Rai Bareilly (U.P.)
3. Shri Jaidev Baghel,
Sculptor,
Metal Bronze & Brass,
Bhelwaparad Pata,
Post Kondagaon-494226,
District Bastar (M.P.).
4. Shri R. S. Lodha,
Chartered Accountant,
Lodha & Co.,
14, Government Place East,
Calcutta-700069 (W.B.).
5. Shri Apoorva Shah,
Chairman & Managing Director,
M/s. Gujarat Steel Tubes Ltd.,
Post Box No. 114, Bhadra,
Ahmedabad-380001 (Gujarat).
6. Shri Kamal Kishore Gupta,
Managing Director,
Dwarkanath Steel Strip Ltd.,
C-36, Industrial Area,
Meerut Road, Ghaziabad-201003 (U.P.).
7. Shri Jagdish Rai Jain,
Managing Director,
Ajanta Tubes Ltd.,
D-20, Connaught Place,
New Delhi-110001.
8. Shri R. Rangaswamy,
Social Worker,
45, Royanettah High Road,
Madras-600014 (Tamil Nadu).

[No. F. 9/2/85/BO. I(3)]

का. भा. 410 :- राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, भारत सरकार निदेश देती है कि भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की दिनांक 22 जनवरी, 1982 के का. भा. संख्या 421 (संख्या एफ. 9/33/81-बी. ओ.-I) के तहत जारी की गयी अधिसूचना के अनुसार सिविकेट बैंक में निवेशक के रूप में नियुक्त किए गए निम्न-लिखित व्यक्ति 23 जनवरी, 1985 से निवेशक नहीं रहेंगे, अर्थात्—

1. सरदार प्रीति पाल सिंह,
20, ए, पटेल पुरी,
मेरठ छावनी-280001 (उत्तर प्रदेश)

2. श्री देव-मिहतर आहुजा,
मैसर्स खेम चन्द बहादर चन्द आहुजा,
पोस्ट बॉक्स नं. 18,
अबोहर-152116 (पंजाब)

3. श्रीमती सुधा बी. रेड्डी,
2/1, पैलेस रोड,
बंगलूर-560052 (कर्नाटक)

4. श्री सत्यनारायणा पीति,
सनदी लेखाकार,
मैसर्स वेरक्की पीति, 1100, पथेरघाटी,
हैदराबाद-500002 (आंध्र प्रदेश)

5. डा. आई. जी. चव्हाण,
प्रमुख, डिपार्टमेंट आफ एनिमल
साइंसेस एण्ड डेयरी साइंसेस
महात्मा फुले कृषि विद्यापीठ,
राहुरी, जिला अहमदनगर (महाराष्ट्र)

6. श्री ए. एन. श्रीनिवास राव,
प्रबंध निदेशक,
मैसर्स हिवेलम इंडस्ट्रीज लि.,
नं. 135, एल. बी. रोड,
मद्रास-600041 (तमिलनाडु)

7. श्री पी. बी. शंकर नारायणन,
निदेशक,
कैश्य कारपोरेशन आफ इंडिया,
"आशा", अछवाकट्टम,
कालीकट-673007 (केरल)

8. श्री शिवराज सिंह,
एडवोकेट, रामपुरा
रिवाड़ी, (हरियाणा)

[सं. एफ. 9/2/85-बी. प्रो. I (4)]

S.O. 410.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government is pleased to direct that the following persons appointed as Directors of the Central Bank of India under notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) S.O. No. 421 (No. F. 9/33/81-BO. I) dated 22nd January, 1982 shall cease to hold the office of Director with effect from 23rd January, 1985, namely:—

1. Sardar Priti Pal Singh,
20-A, Patel Puri,
Meerut Cantt.-250001 (U.P.)
2. Shri Dev Mittar Ahuja,
M/s. Khem Chand Bahadar Chand Ahuja,
Post Box No. 18,
Abohar-152116. (Punjab).
3. Mrs. Sudha V. Reddy,
2/1, Palace Road,
Bangalore-560052 (Karnataka).
4. Shri Satyanarayana Peeti
Chartered Accountant,
M/s. Verkki Peeti,
1100, Patherghatti,
Hyderabad-500002 (A.P.).

Dr. I. G. Chavan.
Head,
Department of Animal Sciences & Dairy Sciences,
Mahatma Phule Krishi Vidyapeeth,
Rahuri,
District Ahmednagar (Maharashtra).

6. Shri A. N. Srinivasa Rao,
Managing Director,
M/s. Hivelm Industries Ltd.,
No. 135, L. B. Road,
Madras-600041 (Tamil Nadu).

7. Shri P. V. Sankara Narayanan,
Director,
Cashew Corporation of India,
'ASHA', Azhavattom,
Calicut-673007 (Kerala).

8. Shri Sheoraj Singh.
Advocate,
Rampura, Rewari,
Haryana.

[No. F. 9/2/85/BO. I(4)]

का. प्र. 411.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, भारत सरकार निवेश देती है कि भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की दिनांक 22 जनवरी, 1982 के का. प्र. संख्या 422 (संख्या एफ. 9/40/81-बी. प्रो.-I) के तहत जारी की गयी अधिसूचना के अनुसार पंजाब एण्ड सिंध बैंक में निदेशक के रूप में नियुक्त किए गए निम्नलिखित व्यक्ति 23 जनवरी, 1985 से निवेशक नहीं रहेंगे, अर्थात्—

1. श्री जसवंत सिंह कोछड़,
प्रोप्राइटर,
जगसन लैबोरेट्री,
ए.-5, कालिन्दी कालोनी,
नई दिल्ली-110065,
2. श्रीमती जमुना सोलंकी,
भूतपूर्व अध्यक्ष,
राजस्थान हथकरघा परियोजना,
बोर्ड 8/474, राम नगर,
डाक खाना ब्यावर (राजस्थान)
3. श्री प्रोम प्रकाश श्रोफ,
सनदी लेखाकार,
3/7 श्री, आसफ अली रोड,
पहली मंजिल, फ्लैट नं. 4,
नई दिल्ली-110002.
4. श्री कल्याण दत्त,
प्रोफसर आफ इकोनॉमिक्स,
जादवनूर विश्वविद्यालय,
64/1/17 बेलगछिया रोड,
कलकत्ता-700037 (पश्चिम बंगाल)

3 श्री

तकनीकी परामर्शदाता,
511, सेक्टर-16,
चण्डीगढ़

6. श्री बुध सिंह आनंद,

उद्योगपति,
"बुधवीर विल्ला"
प्लॉट नं. 507, 16वीं सड़क
खार-ठांडा रोड का कासिंग,
बंबई-400052 (महाराष्ट्र)

7. श्री केशव एच. कुलकर्णी,

समाजिक कार्यकर्ता,
3, चेम्सफोर्ड रोड,
नई दिल्ली-110055.

[सं. एफ० 9-2-85-बी. प्रो. 11 (5)]

S.O. 411.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government is pleased to direct that the following persons appointed as Directors of the Punjab and Sindh Bank of India under notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) S.O. No. 422 (No. F. 9/40/81-BO. I) dated 22nd January, 1982 shall cease to hold the office of Director with effect from 23rd January, 1985, namely :—

1. Shri Jaswant Singh Kochar,
Proprietor,
Jagson Laboratories,
A-5, Kalindi Colony,
New Delhi-110065.
2. Smt. Jamuna Solanky,
Ex-Chairman,
Rajasthan Handloom Project Board,
8/474, Ramnagar,
P.O. Beawar (Rajasthan).
3. Shri Omprakash Shroff,
Chartered Accountant,
3/7B, Asaf Ali Road,
1st Floor, Flat No. 4,
New Delhi-110002.
4. Shri Kalyan Dutt,
Professor of Economics,
Jadavpur University,
64/1/10, Belgachia Road,
Calcutta-700037 (W.B.).
5. Shri Surinder Singh Viridhi,
Technical Consultant,
511, Sector 16,
Chandigarh.
6. Shri Budh Singh Anand,
Industrialist,
"Budhvir Villa",
Flat No. 507, 16th Road,
Crossing Khar Dhanda Road,
Bombay-400052 (Maharashtra).
7. Shri Keshav H. Kulkarni,
Social Worker,
3, Chemsford Road,
New Delhi-110055.

[No. F 9/2/85-BO. I(5)]

नई दिल्ली, 15 जनवरी, 1985

का. आ. 412.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार निवेश देती है कि भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग, (वैकिंग प्रभाग) की दिनांक 27-1-1982 के का. आ. संख्या 549 (सं. एफ. 9/27/81-बी. प्रो-I) के तहत जारी की गयी अधिसूचना के अनुसार पंजाब नेशनल बैंक में निदेशक के रूप में नियुक्त किए गए निम्नलिखित व्यक्ति 28 जनवरी, 1985 से निदेशक नहीं रहेंगे, अर्थात् —

1. श्री कपिल भाटिया,
सी-54, आनंद निकेतन,
नई दिल्ली-1100021.
2. श्री रतन कौल,
"एवरेस्ट" हाउस,
जी. टी. रोड,
गाजियाबाद (उत्तर प्रदेश)
3. श्री आर. के. सेठ,
चार्टर्ड लेखाकार,
लक्ष्मी बिल्डिंग,
16/103, दि माल, कानपुर (उत्तर प्रदेश) -
4. श्री जवाहर लाल भोसवाल,
अध्यक्ष,
भोसवाल वूलन मिल्स लि.,
शेरपुर, लुधियाना 141003 (पंजाब)
5. डा. भानु प्रसाद बी. पाण्ड्या
निदेशक,
"इंडियन रिसर्च सोसाइटी,
5, आनन्द घाट सोसाइटी,
वयू बड्दास,
ग्रहमथाबाद 380013
(गुजरात)

[सं. एफ. 9/2/85-बी. प्रो. I (1)]

New Delhi, the 15th January, 1985

S.O. 412.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government is pleased to direct that the following persons appointed as Directors of the Punjab National Bank under notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) S.O. No. 549 (No. F. 9/27/81-BO. I) dated 27th January, 1982 shall cease to hold the office of Director with effect from 28th January, 1985, namely :—

1. Shri Kapil Bhatia,
C-54, Anand Niketan,
New Delhi-110021.
2. Shri Rattan Kaul,
"Everest" House,
G.T. Road, Ghaziabad,
(Uttar Pradesh)

3. Shri R. K. Seth,
Chartered Accountant,
'Lakshmi Building',
16/103, The Mall, Kanpur,
(Uttar Pradesh).
4. Shri Jawahar Lal Oswal,
Chairman,
Oswal Woollen Mills Ltd.,
Sherpur,
Ludhiana-141003 (Punjab).
5. Dr. Bhanuprasad V. Pandya,
Director,
Indian Research Society,
5, Anand Dham Society,
New Wadaj,
Ahmedabad-380013 (Gujarat).

[No. F. 9/2/85-B.O. I(1)]

का. भा. 413.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार निदेश देती है कि भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की दिनांक 28 जनवरी, 1982 के का. भा. संख्या 550 (सं. एफ. 9/28/81-बी. ओ.-1) के तहत जारी की गयी अधिसूचना के अनुसार बैंक आफ बड़ौदा में निदेशक के रूप में नियुक्त किए गए निम्नलिखित व्यक्ति 29 जनवरी, 1985 से निदेशक नहीं रहेंगे, अर्थात् --

1. श्री भाग सिंह,
भूतपूर्व निदेशक,
पंजाब मार्केटेड
ग्राम--रामपुर कलां,
निकट छतबीर,
जिला पटियाला,
(पंजाब)।
2. श्री सी. रामकृष्ण,
7, टेलर्स रोड,
किलपौक, मद्रास-600010,
(तमिलनाडु)
3. श्री बीरेन्द्र मेहता,
मेसर्स फोटो गुड्स सर्विस,
6065, कटरा बरयान,
दिल्ली-110006
4. श्री पी. के. चौकसी,¹
चार्टर्ड एकाउन्टेन्ट,
प्राईस वाटरहाउस एंड कम्पनी,
बी-3/1, गिल्लान्डर हाउस,
नेताजी सुभाष रोड,
कलकत्ता-700001
(पश्चिम बंगाल)

5. श्री नरेन्द्र भाई. भुवा,
प्रबन्ध निदेशक,
इन्डो-निपपन केमिकल कं. लि.,
मेकर भवन नं. 2,
18, म्यू मेरीन लाइन्स,
बम्बई-400020,
(महाराष्ट्र)
6. श्री बंसी लाल मेहता,
19 राजेन्द्र पार्क,
पूसा रोड,
नई दिल्ली-110060
7. श्री के. एस. तारंगी
एड्योकेट,
लॉंग ब्यू,
टेल्लीताल, नैनीताल,
(उत्तर प्रदेश)
8. श्री हजारी लाल शर्मा,
सामाजिक कार्यकर्ता,
44, केशव नगर,
सिविल लाइन्स,
जयपुर,
(राजस्थान)

[सं. एफ. 9/2/85-बी. ओ. I (2)]

S.O. 413.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government is pleased to direct that the following persons appointed as Directors of the Bank of Baroda under notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) S.O. No. 550 (No. F. 9/28/81-BO. I), dated 28th January, 1982 shall cease to hold the office of Director with effect from 29th January, 1985, namely :—

1. Shri Bhag Singh,
Ex-Director,
Punjab, Markfed,
Vill. Rampur Kalan,
Near Chhatbir,
Distt. Patiala (Punjab).
2. Shri C. Ramakrishna,
7, Taylors Road,
Kilpauk, Madras-600010
(Tamil Nadu).
3. Shri Virinder Mehta,
M/s. Photo Goods Service,
6465, Katra Baryan,
Delhi-110006.
4. Shri P. K. Choksey,
Chartered Accountant,
Price Waterhouse & Co.
B-3/1, Gillander House,
Netaji Subhas Road,
Calcutta-700001 (W.B.).
5. Shri Narendra I. Bhuva,
Managing Director,
Indo-Nippon Chemical Co. Ltd.,
Maker Bhawan, No. 2,
18, New Marine Lines,
Bombay-400020 (Maharashtra).

6. Shri Bansilal Mehta,
19, Rajendra Park,
Pusa Road,
Delhi-110060.
7. Shri K. S. Taragi,
Advocate,
Long View,
Tallital, Nainital. (U.P.).
8. Shri Hazari Lal Sharma,
Social Worker,
44, Keshva Nagar,
Civil Lines,
Jaipur. (Rajasthan).

[No. F. 9/2/85-B.O. I(2)]

का. आ. 414.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार निदेश देती है कि भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की दिनांक 28 जनवरी, 1982 के का. आ. संख्या 551 (सं. एफ. 9/35/81-बी. ओ.-1) के तहत जारी की गयी अधिसूचना के अनुसार इलाहाबाद बैंक में निदेशक के रूप नियुक्त किए गए निम्नलिखित व्यक्ति 29 जनवरी, 1985 से निदेशक नहीं रहेंगे, अर्थात्—

1. श्री दिनेश चन्द्र वर्मन,
कृषक,
गांव बाड़ोपाक,
जीरानपुर पोस्ट,
जिला मूच बिहार (पश्चिम बंगाल)
2. श्री एच. के. वटल,
दी कैलाश कार्पेट कं.,
धोलपुर हाउस, आगरा-282001 (उत्तर प्रदेश)
3. श्री पी. के. मलिक,
चार्टर्ड लेखाकार,
बी-3/1, गिल्लंडर हाऊस,
नेताजी सुभाष रोड,
कलकत्ता-700001 (पश्चिम बंगाल)
4. श्री सोहन मेहरा,
इंदौर समाचार,
17 न्यू देवास रोड,
पो. बाक्स सं. 228,
इंदौर-452003 (म. प्र.)

[संख्या एफ. 9/2/85—बी. ओ.—I (3)]

च. वा. मीरचन्दानी, निदेशक

S.O. 414.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government is pleased to direct that the following persons appointed as Directors of the Allahabad Bank under notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) S.O. No. 551 (No. F. 9/35/81-B.O. I) dated 28th January, 1982 shall cease to hold the office of Director with effect from 29th January, 1985 namely:—

1. Shri Dinesh Chandra Barman,
Agriculturist,
Vill. Baropak,
Post. Jiranpur,
Distt. Cooch Behar. (W.B.).
2. Shri H. K. Wattal,
The Kailash Carpet Co.,
Dholpur House,
Agra-282001. (U.P.).
3. Shri P. K. Mallik,
Chartered Accountant,
B-3/1, Gillander House,
Netaji Subhas Road,
Calcutta-700001. (W.B.).
4. Shri Sohan Mehra,
Indore Samachar,
17, New Dewas Road,
Post Box No. 228,
Indore-452003. (M.P.).

[No. F. 9/2/85-BO. I(3)]

C. W. MIRCHANDANI, Director.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 10 जनवरी, 1985

का. आ. 415.—सरकारी स्थान (अनधिकृत अधिकारियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त अधिनियम के प्रयोजन के लिए नीचे दी गई सारणी के कालम (1) में उल्लिखित अधिकारी को सरकार का राजपत्रित अधिकारी होने के नाते सम्पदा अधिकारी के रूप में नियुक्त करती है। यह अधिकारी उक्त सारणी के कालम (2) में विनिर्दिष्ट सरकारी स्थानों के संबंध में उक्त अधिनियम द्वारा अथवा उसके अंतर्गत सम्पदा अधिकारी को दी गई शक्तियों का प्रयोग और सौंपे गए कार्यों को करेगा।

सारणी

अधिकारी का पदनाम	सरकारी स्थान की श्रेणियाँ
प्रभारी अधिकारी, ग्राम स्वास्थ्य प्रशिक्षण केन्द्र नजफगढ़, नई दिल्ली-110043	(क) दिल्ली संघ शासित क्षेत्र में सरकारी कर्मचारियों के क्वार्टर तथा अन्य भवन जो ग्राम स्वास्थ्य प्रशिक्षण केन्द्र नजफगढ़, प्राथमिक स्वास्थ्य केन्द्र पालम और प्राथमिक स्वास्थ्य केन्द्र उजवा के अहातों में स्थित हों।
	(ख) प्रभारी अधिकारी, ग्राम स्वास्थ्य प्रशिक्षण केन्द्र, नजफगढ़, नई दिल्ली के प्रशासनिक नियंत्रणाधीन के अहाते।

[सं. डी. 11015/1/82-पी. एच. (सी. डी. एंड एल)/आर.]

एम. एस. 1

के. चंद्रमौलि, अवर सचिव

MINISTRY OF HEALTH AND FAMILY
WELFARE

(Department of Health)

New Delhi, the 10th January, 1985

S.O. 415.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being a Gazetted Officer of the Government to be an Estate Officer or the purposes of the said Act who shall exercise the powers conferred, and perform the duties imposed, on Estate Officers by or under the said Act in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of Public Premises
Officer-in-Charge, Rural Health Training Centre, Najafgarh, New Delhi-110043.	(a) Government staff quarters and other buildings situated within the campus of the Rural Health Training Centre, Najafgarh, the campus of the Primary Health Centre, Palam, and the Campus of the Primary Health Centre, Ujwa, in the Union Territory of Delhi; and (b) The premises under the administrative control of the Officer-in-charge, Rural Health Training Centre Najafgarh, New Delhi.

[No. D.11015/1/82-PH(CD&L)/RHS]

K. CHANDRAMOUJI, Under Secy.

नई दिल्ली, 14 जनवरी, 1985

का. आ. —कन्द्रीय सरकार, औषधि और प्रसाधन सामग्री अधिनियम, 1940 (1940 का 23) की धारा 20 की उपधारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय (स्वास्थ्य विभाग) की अधिसूचना का.आ. में सं. 2068 तारीख 17 मई, 1979 को अधिष्ठात करते हुए :

- (1) डा. एम. के. उपनिवेशक, केन्द्रीय औषधि प्रयोगशाला, मधुमवार, कलकत्ता
- (2) श्री बी. मंडल भेषजिक रसायनज्ञ, केन्द्रीय औषधि प्रयोगशाला, कलकत्ता।
- (3) डा. के. की. जोगी भेषजज्ञ, केन्द्रीय औषधि प्रयोगशाला, कलकत्ता।
- (4) डा. एस. के. जैव रसायनज्ञ, केन्द्रीय औषधि प्रयोगशाला, कलकत्ता
- (5) डा. पी. के. जीवाणु विज्ञानी, केन्द्रीय औषधि प्रयोगशाला, कलकत्ता

निम्नलिखित वर्गों की औषधियों की बाबत संपूर्ण भारत के लिए सरकारी विश्लेषक नियुक्त करती है, अर्थात् :—

निम्नलिखित वर्गों की औषधियों को छोड़कर सभी वर्गों की औषधियाँ अर्थात् :—

1. सेरा
2. इन्जेक्शन के लिए आशयित सिरम प्रोटीनों का घोल
3. वैक्सीन
4. यकसीन
5. एन्टोजेन्स
6. एंटीटाक्सीन
7. निर्णमित शल्य चिकित्सा लिगेचर और निर्णमित सूतर
8. जीवाणु भोजी
9. पशु चिकित्सा के उपयोग के लिए एंटीसेरा
10. पशु चिकित्सा के उपयोग के लिए वैक्सीन
11. पशु चिकित्सा के उपयोग के लिए टाक्साइड
12. पशु चिकित्सा के उपयोग के लिए डायग्नोस्टिक एंटीजिन

[सं. एक्स-11014-1/84-डीएमएस एंड पी एफ ए]

ए. एस. विश्वास, अवर सचिव

New Delhi, the 14th January, 1985

S.O. 416.—In exercise of the powers conferred by sub-section (2) of section 20 of the Drugs and Cosmetics Act, 1940 (23 of 1940) and in supersession of the notification of the Government of India in the Ministry of Health and Family Welfare (Department of Health) No. S.O. 2068, dated the 17th May, 1979, the Central Government hereby appoints :—

- (1) Dr. M. K. M. Jundar — Deputy Director, Central Drugs Laboratory, Calcutta.
- (2) Shri B. Mandal — Pharmaceutically Chemist, Central Drugs Laboratory, Calcutta
- (3) Dr. K. V. Jogi — Pharmacologist, Central Drugs Laboratory, Calcutta,
- (4) Dr. S.K. Das — Bio-Chemist, Central Drugs Laboratory, Calcutta and
- (5) Dr. R.K. Chatterjee — Bacteriologist, Central Drugs Laboratory, Calcutta,

to be Government Analysts for the whole of India in respect of the following classes of drugs, namely :—

All classes of drugs except the classes of drugs mentioned below, namely :—

1. Sera.
2. Solution of serum proteins intended for injection.
3. Vaccines.
4. Toxins.
5. Antigens.
6. Anti-toxins.
7. Sterilized surgical ligature and sterilized suture.

8. Bacteriophages.
9. Anti-sera for veterinary use.
10. Vaccines for veterinary use.
11. Toxoids for Veterinary use.
12. Diagnostic antigens for veterinary use.

[No. X-110/4/1/84-DMS & PFA]
A. S. BISWAS, Under Secy.

नई दिल्ली, 15 जनवरी, 1985

का. आ. 417.—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा-3 की उप-धारा (1) के खंड (ग) के उपबंधों के अनुसरण में महाराष्ट्र राज्य से डा. शामराव नारायण देशमुख 22 अक्टूबर, 1984 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित हुए हैं।

अतः अब उक्त अधिनियम की धारा-3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59-एम-1 (का. आ. संख्या 138) में आगे और निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिनियम में धारा-3 की उपधारा (1) के खंड (ग) के अधीन निर्वाचित शीर्ष के अन्तर्गत क्रम संख्या 1 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियाँ रखी जाएँ, अर्थात् :—

- “1. डा० शामराव नारायण देशमुख, एम.बी.बी.एस
एम. डी.
केशवजी नायक चawl नं. 2, कमरा नं. 15,
डा. एन. ए. देशमुख मार्ग,
गिरगांव, बम्बई-400004।”

[संख्या की. 11013/33/79-एम.ई. (पी.)]

रविंदर नाथ तिवारी, उप सचिव

New Delhi, the 15th January, 1985

S.O. 417.—Whereas in pursuance of the provisions of clause (c) sub-section (1) of section 3 of the Indian Medical Act, 1956 (102 of 1956) Dr Shamrao Narayan Deshmukh has been elected from the Maharashtra State to be a member of the Medical Council of India with effect from the 22nd October, 1984;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the late Ministry of Health No. 5-13/50-MI(S.O. 138) dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (c) of sub-section (1) of section 3” for serial number 1 and the entries relating therein, the following serial number and entries shall be substituted, namely :—

- “1 Dr. Shamrao Narayan Deshmukh, MBBS; MD,
Keshavji Naik Chawl No. 2, Room No. 15,
Dr. N. A. Deshmukh Marg, Girgaum, Bom-
bay-400004.”

[No. V-11013/33/79-ME(P)]
R. N. TEWARI, Dy. Secy.

नई दिल्ली, 15 जनवरी, 1985

का. आ. 418.—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम 1956 (1956 का 102) की धारा 3 की

उप-धारा (1) के खंड (क) के अनुसरण में और जम्मू व कश्मीर सरकार के साथ परामर्श कर केन्द्रीय सरकार ने डा. बी. के. आनन्द, निदेशक, शोरे कश्मीर इंस्टीट्यूट ऑफ मेडिकल साइंसेस, श्रीनगर को 6 फरवरी, 1985 से डा. ए. के. नागपाल के स्थान पर भारतीय आयुर्विज्ञान परिषद् के सदस्य के रूप में नामित किया है।

अतः, अब उक्त अधिनियम की धारा (3) की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार भूतपूर्व स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना का. आ. 138 में एतद्वारा आगे और निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3, उपधारा (1) के खंड (क) के अधीन नामित” शीर्ष के नीचे क्रम सं. 15 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित क्र. सं. और प्रविष्टि प्रतिस्थापित की जाये, अर्थात् :—

“15. डा. बी. के. आनन्द,
निदेशक, शोरे कश्मीर इंस्टीट्यूट ऑफ
मेडिकल साइंसेस,
श्रीनगर।”

[सं. वी. 11013/20/84-एम.ई. (पी)]

चन्द्र भान, अवर सचिव

New Delhi, the 15th January, 1985

S.O. 418.—Whereas the Central Government in pursuance of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of Jammu & Kashmir have nominated Dr. B. K. Anand, Director, Shere-i-Kashmir Institute of Medical Sciences, Srinagar to be a member of the Medical Council of India vice Dr. A. K. Nagpal, with effect from 6th February, 1985.

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the late Ministry of Health No. S.O. 138, dated the 9th January, 1960 namely :—

In the said notification under the heading “Nominated under clause (a) of sub-section (1) of section 3”, for serial number 15 and the entry relating thereto, the following serial number and entry shall be substituted namely;

“15. Dr. B. K. Anand,
Director, Shere-i-Kashmir
Institute of Medical Sciences,
Srinagar.”

[No. V-11013/20/84-ME(P)]
CHANDER BHAN, Under Secy.

इस्पति, खान और कोयला मंत्रालय

(कोयला विभाग)

नई दिल्ली, 16 जनवरी, 1985

का. आ. 419.—केन्द्रीय सरकार ने, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उप-धारा (1) के अधीन भारत के राजपत्र, भाग 2, खंड 3, उप-खंड (ii) तारीख 9

अक्टूबर, 1982 में प्रकाशित भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) अधिसूचना सं. का. आ. 3524, तारीख 18 सितम्बर, 1982 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में, जिसका माप 400.04 हेक्टर (लगभग) या 988.51 एकड़ (लगभग) है, खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार, करने के पश्चात् और उड़ीसा सरकार से परामर्श करने के पश्चात्, यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 400.04 हेक्टर (लगभग) या 988.51 एकड़ (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने, और उन्हें ले जाने के अधिकार अर्जित किये जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 400.04 हेक्टर (लगभग) या 988.51 एकड़ (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और खनिजों की तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अधीन आने वाले क्षेत्र के सं. सी 1 (ई)/111/डीडीआर/ 264-683 तारीख 27-6-1983 वाले रेखांक का निरीक्षण कलक्टर, संबलपुर (उड़ीसा) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट कलकत्ता के कार्यालय में, या वेस्टर्न कोलफील्ड्स लि. (राजस्व अनु-भाग) कोल एस्टेट, सिविल लाइंस नागपुर (महाराष्ट्र) के कार्यालय में किया जा सकता है।

अनुसूची

आई बी ब्लॉक सं. VI (भाग-1)

आई बी वीसी कोलफील्ड्स

जिला संबलपुर (उड़ीसा)

खनन अधिकार

क्र. ग्राम का नाम	ग्राम सं.	तहसील
1. कुसुरालोई	26	लखनपुर
2. उब्दा	30	लखनपुर
3. छरला	35	लखनपुर

जिला	क्षेत्र एकड़ में		कुल टिप्प- भूमि गियां
	राजस्व भूमि	सरकारी भूमि	
	111.08	158.94	270.02 भाग
	9.46	124.03	133.49 भाग
	302.61	282.39	585.00 भाग
कुल			
या	423.15	565.36	988.51
	400.04	हेक्टर	(लगभग)

ग्राम कुसुरालोई में अर्जित प्लॉट संख्यांक :

791, 792, 798, 799, 800, 801, 802, 879, 929, 930, 931, 931/1858 932 से 946, 949, 949/1859, 950 से 963, 962/1944, 964 से 988, 988/1860, 989 से 1027, 1027/1861, 1028 से 1043, 1047 से 1051, 1051/1862, 1052, 1052/1935, 1052/1936, 1053 से 1063, 1087 से 1091, 1554 से 1567, 1567/1958, 1568, 1569 और 1717

ग्राम उब्दा में अर्जित प्लॉट संख्यांक :

1339, 1364, 1365, 1374, 1378, 1382, 1380, 1393, 1394, 1395, 1396, 1397, 1398, 1401, 1406, 1407, 1421, 1422, 1423, 1424, 1544, 1552, 1555, 1556, 1366 और 1408

ग्राम छरला में अर्जित प्लॉट संख्यांक :

36(भाग), 37 से 41 41/607, 41/609 41/733, 42, 43(भाग), 44, 44/608 45 (भाग), 174 (भाग), 174/599(भाग), 174/600(भाग), 174/601(भाग), 177(भाग), 178 से 182, 186(भाग), 186/732(भाग), 187(भाग), 188(भाग), 189(भाग), 190, 191, 192 (भाग), 193 से 196 196/571, 197 से 200, 200/574, 201 से 203 203/610, 203/611 204 से 207 206/612, 207 से 217, 217/613, 218, 219, 219/739, 219/740, 219/741, 220 से 224, 224/569 225 से 228 228/614, 228/615, 229, 230, 230/616, 230/617, 230/618, 230/619, 231 232, 232/568, 232/570, 232/620, 223 से 235, 235/622, 236, 236/621, 237 से 248, 248/623, 248/624, 248/726, 249, 250, 250/626, 251 से 260, 260/625, 261 से 266, 266/729, 267, 268, 268/627, 269 से 274 274/628 274/629, 274/630, 274/734, 274/735, 274/136, 275, 275/631, 275/632, 275/738, 276, 277, 277/633, 278 से 289, 289/723, 289/724 289/728, 289/730, 290 से 294, 294/634, 295 से 297, 297/635, 298 से 300, 300/636, 301 से 311, 311/637, 312, 313, 313/638, 314, 315, 315/639, 316 से 323, 323/643, 324 से 327, 327/640, 327/641, 328, 329, 329/642, 330, 330/644, 331(भाग),

332, 332/645, 333 से 336, 336/646, 336/647, 337/648, 336/649, 337 से 339, 339/650, 340 से 342, 342/737, 343, 343/565, 343/566, 344, 345, 345/564, 346, 347, 347/651, 348, 348/652, 349 से 354, 354/653, 355, 355/654, 356, 357, 357/655, 358, 359 (भाग), 359/656, 359/657, 359/658, 359/669, 360 से 363, 363/659, 364 से 380, 380/660, 381 से 390, 390/666, 391, 392, 392/662, 392/663, 392/664, 393, 393/665, 394, 394/666, 395, 395/667, 396, 397, 397/668, 398 से 400, 400/670, 401, 402, 402/671, 403, 403/672, 404 से 414, 414/673, 415, 415/674, 415/675, 416, 416/677, 417, 417/676 418 से 426, 426/605, 427, 427/603, 427/604

428 से 437, 437/606 438, 439, 439/678, 440 से 445, 445/679, 446 से 449, 449/680, 450 450/681, 451, 452, 452/682, 453, 454, 454/725, 454/683, 455, 455/727, 456, 456/684, 457 से 459, 459/685, 460 से 470, 470/686, 470/687, 471, 472, 472/688, 473, 474, 474/689, 475 से 479, 479/690, 479/691, 480 से 484, 484/572, 485 से 490, 490/692, 491 से 493, 491/731, 493/693, 494, 494/694, 494/695, 495 से 498, 498/696, 499 से 501, 501/697, 501/698, 502 से 504, 504/699, 505, 505/700, 506, 506/701, 507 से 513, 513/702, 514, 515, 515/703, 516 से 524, 524/712, 525, 526, 526/713, 527, 527/714, 528, 528/742, 528/743, 529, 529/704, 530, 530/705, 531 से 534, 534/715, 535, 535/716, 536, 537, 537/706, 538, 539, 539/717, 540, 541, 541/707, 542 से 550, 550/708, 550/709, 551, 551/710, 552, 553, 553/711, 554 से 559, 559/720, 560, 560/718, 561, 562, 563, 563/719, 566/722 और 567.

सीमा वर्णन :

ग-ग 1 रेखा प्लॉट सं० 359 में ग्राम छरला से होकर जाती है और बिन्दु ग पर मिलती है ।

ग 1-ग 2 रेखा ग्राम छरला और खादम की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु ग 2 पर मिलती है ।

ग 2-ग 3 रेखा ग्राम छरला और कुसुरालोई की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु ग 3 पर मिलती है ।

ग 3-ग 4 रेखा ग्राम कुसुरालोई से होकर प्लॉट सं० 1717 और 1718 की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु ग 4 पर मिलती है ।

ग 4-ग 5 रेखा ग्राम कुसुरालोई से होकर प्लॉट सं० 1717 और 1716 की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु ग 5 पर मिलती है ।

ग 5-ग 6 रेखा ग्राम कुसुरालोई से होकर प्लॉट सं० 1567 की पूर्वी सीमा के साथ-साथ जाती है और बिन्दु ग 6 पर मिलती है ।

ग 6-ग 7 रेखा ग्राम कुसुरालोई से होकर प्लॉट सं० 1567, 1569, 1556, 1555, 1554, 1060, 1061, 1063, 1936, 1051, 1047, 1048, 1049, 1042, 1043, 1087, 1091, 949, 946

और 929 की दक्षिणी सीमा के साथ-साथ जाती है और बिन्दु ग 7 पर मिलती है ।

ग 7-ग 8 रेखा ग्राम कुसुरालोई से होकर प्लॉट सं० 879 (सड़क) की पूर्वी सीमा के साथ-साथ जाती है और बिन्दु ग 8 पर मिलती है ।

ग 8-ग 9 रेखा ग्राम कुसुरालोई से होकर प्लॉट सं० 879 (सड़क) की दक्षिणी सीमा के साथ-साथ जाती है और बिन्दु ग 9 पर मिलती है ।

ग 9-ग 10 रेखा ग्राम कुसुरालोई से होकर प्लॉट सं० 879 (सड़क) की पश्चिमी सीमा, प्लॉट सं० 801 और 802 की दक्षिणी-पश्चिमी सीमा के साथ-साथ जाती है फिर प्लॉट सं० 789, 800, 792, 791 की पश्चिमी सीमा के साथ-साथ आगे जाती है और ग्राम कुसुरालोई और उब्दा की सामान्य सीमा पर बिन्दु ग 10 पर मिलती है ।

ग 10-ग 11 रेखा ग्राम उब्दा और कुसुरालोई की सामान्य सीमा के साथ-साथ जाती है और बिन्दु ग 11 पर मिलती है ।

ग 11-ग 12 रेखा ग्राम उब्दा से होकर प्लॉट सं० 1406, 1401, 1398, 1393, 1384, 1374, 1552, 1378, 1544, 1366, 1364, 1339 की पश्चिमी सीमा के साथ-साथ जाती है और कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन अर्जित, आई०बी० ब्लॉक-2 (आई० बी० बैली कोलफील्ड) देखिए अधिसूचना सं० का०आ० 22 (अ) तारीख 9/13-1-1981 की दक्षिणी सीमा पर बिन्दु ग 12 पर मिलती है ।

ग 12-ग रेखा कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन अर्जित, आई०बी० ब्लॉक-2 (आई० जी० बैली कोलफील्ड) देखिए

अधिसूचना संकांआ० 22(अ) तारीख
9/13-1-1981 की दक्षिण सोमा के साथ-
साथ जाती है और आरम्भिक बिन्दु "ग"
पर मिलती है।

[सं० 19/48/83-सी०एल०/सी०ए]

MINISTRY OF STEEL, MINES AND COAL

(Department of Coal)

New Delhi, the 16th January, 1985

S.O. 419 :—Whereas by the notification of the Government of India in the Ministry of Energy, Department of Coal No. S. O. 3524 dated the 18th September, 1982 under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) and published in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 9th October, 1982, the Central Government gave notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 400.04 hectares (approximately) or 988.51 acres (approximately) in the locality specified in the Schedule appended to that notification;

And whereas the Competent Authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of Orissa is satisfied that the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 400.04 hectares (approximately) for 988.51 acres (approximately) described in the Schedule appended hereto should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 400.04 hectares (approximately) or 988.51 acres (approximately) described in the Schedule appended hereto, are hereby acquired.

The plan bearing No. C-1(E)/III/DDR/264-683 dated 27-6-83 of the area covered by this notification may be inspected in the Office of the Collector, Sambalpur (Orissa) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the Western Coalfields Limited (Revenue Central, Coal Estate, Civil Lines, Nagpur (Maharashtra)).

SCHEDULE

IB BLOCK NO. VI (PART-I)

IB VALLEY COAL FIELD

DISTRICT SAMBALPUR (ORISSA)

MINING RIGHTS

Sl. No.	Name of village	Village No.	Tehsil	District	Area in acres		Total land	Remarks
					Revenue land	Govt. land		
1.	Kusuraloi	26	Lakhenpur	Sambalpur	111.08	158.94	270.02	Part
2.	Ubda	30	-do-	-do-	9.46	124.03	133.49	Part
3.	Chharla	35	-do-	-do-	302.61	282.39	585.00	Part
Total : OR					423.15 400.04 hectares (approximately)	565.36	988.51	

Plot numbers acquired in village Kusuraloi :—791, 792, 798, 799, 800, 801, 802, 879, 929, 930, 931, 931/1658, 932 to 946, 949, 949/1859, 950 to 963, 963/1944, 964 to 988, 988/1860, 989 to 1027, 1027/1861, 1028 to 1043, 1047 to 1051, 1051/1862, 1052, 1052/1935, 1052/1936, 1053 to 1063, 1087 to 1091, 1554 to 1567, 1567/1958, 1568, 1569 and 1717.

Plot numbers acquired in village Ubda :—1339, 1364, 1365, 1374, 1378, 1382, 1388, 1393, 1394, 1395, 1396, 1397, 1398, 1401, 1406, 1407, 1421, 1422, 1423, 1424, 1544, 1552, 1555, 1556 and 1408.

Plot numbers acquired in village Chharla :—36(P), 37 to 41, 41/607, 41/609, 41/733, 42, 43(P), 44, 44/608, 45(P), 174(P), 174/599(P), 174/600(P), 174/601(P), 177(P), 178 to 182, 186(P), 186/732 (p), 187(P), 188(P), 189(P), 190, 191, 192(P), 193 to 196, 196/571, 197 to 200, 200/574, 201 to 203, 203/610, 203/611, 204 to 206, 206/612, 207 to 217, 217/613, 218, 219, 219/739, 219/740, 219/741, 220 to 224, 224/569, 225 to 228, 228/614, 228/615, 229, 230, 230/616, 230/617, 230/618, 230/619, 231, 232, 232/568, 232/570, 232/620, 233 to 235, 235/622, 236, 236/621, 237 to 248, 248/623, 248/624, 248/726, 249, 250, 250/626, 251

to 260, 260/625, 261 to 266, 266/729, 267, 268, 268/627, 269 to 274, 274/628, 274/629, 274/630, 274/734, 274/735, 274/736, 275, 275/631, 275/632, 275/738, 276, 277, 277/633, 278 to 289, 289/723, 289/724, 289/728, 289/730, 290 to 294, 294/634, 295 to 297, 297/635, 298 to 300, 300/636, 301 to 311, 311/637, 312, 313, 313/638, 314, 315, 315/639, 316 to 323, 323/643, 324 to 327, 327/640, 327/641, 328, 329, 329/642, 330, 330/644, 331(P), 332, 332/645, 333 to 336, 336/646, 336/647, 336/648, 336/469, 337 to 339, 339/650, 340 to 342, 342/737, 343, 343/565, 343/566, 344, 345, 345/564, 346, 347, 347/651, 348, 348/652, 349 to 354, 354/653, 355, 355/654, 356, 357, 357/655, 358, 359(P), 359/656, 359/657, 359/658, 359/669, 360 to 363, 363/659, 364 to 380, 380/660, 381 to 390, 390/661, 391, 392, 392/662, 392/663, 392 / 664, 393, 393/665, 394, 394/666, 395, 395/667, 396, 397, 397/668, 398 to 400, 400/670, 401, 402, 402/671, 403, 403/672, 404 to 414, 414/673, 415, 415/674, 415/675, 416, 416/677, 417, 417/676, 418 to 426, 426/605, 427, 427/603, 427/604, 428 to 437, 437/606, 438, 439, 439/678, 440 to 445, 445/679, 446 to 449, 449/680, 450, 450/681, 451, 452, 452/682, 453, 454, 454/725, 454/683, 455, 455/727, 456, 456/684, 457 to 459, 459/685, 460 to 470, 470/686, 470/687, 471, 472, 472/688, 473, 474, 474/689, 475

479, 479/690, 479/691, 480 to 484, 484/572, 485 to 490, 490/692, 491 to 493, 491/731, 493/693, 494, 494/694, 494/695, 495 to 498, 498/696, 499 to 501, 501/697, 501/698, 502 to 504, 504/699, 505, 505/700, 506, 506/701, 507 to 513, 513/702, 514, 515, 515/703, 516 to 524, 524/712, 525, 526, 526/713, 527, 527/714, 528, 528/742, 528/743, 529, 529/704, 530, 530/705, 531 to 534, 534/715, 535, 535/716, 536, 537, 537/706, 538, 539, 539/717, 540, 541, 541/707, 542 to 550, 550/708, 550/709, 551, 551/710, 552, 553, 553/711, 544 to 559, 559/720, 560, 560/718, 561, 562, 563, 563/719, 566/722 and 567.

Boundary Description :

- C—C1 Line passes through village Chharla in plot No. 359 and meets at point C1.
- C1—C2 Line passes along the common boundary of villages Chharla and Khadam and meets at point C2.
- C2—C3 Line passes along the common boundary of villages Chharla and Kusuraloi and meets at point C3.
- C3—C4 Line passes through village Kasuraloi along the common boundary of plot Nos. 1717 and 1718 and meets at point C4.
- C4—C5 Line passes through village Kusuraloi along the common boundary of plot Nos. 1717 and 1716 and meets at point C5.
- C5—C6 Line passes through village Kusuraloi along the eastern boundary of plot No. 1567 and meets at point C6.

- C6—C7 Line passes through village Kusuraloi along the southern boundary of plot Nos. 1567, 1569, 1556, 1555, 1554, 1060, 1061, 1063, 1936, 1051, 1047, 1048, 1049, 1042, 1043, 1087, 1091, 949, 946 and 929 and meets at point C7.
- C7—C8 Line passes through village Kasuraloi along the eastern boundary of plot No. 879 (road) and meets at point C8.
- C8—C9 Line passes through village Kasuraloi along the southern boundary of plot No. 879 (road) and meets at point C9.
- C9—C10 Lines passed through village Kasuraloi along the western boundary of plot No. 879 (road) south-western boundary of plot Nos. 801 and 802 then proceeds along the western boundary of plot Nos. 798, 800, 792, 791 and meets on common boundary of village Kasuraloi and Udba at point C10.
- C10—C11 Line passes along the common boundary of villages Udba and Kasuraloi and meets at point C11.
- C11—C12 Line passes through village Udba along the western boundary of plot Nos. 1406, 1401, 1398, 1393, 1383, 1374, 1352, 1378, 1344, 1366, 1364, 1339; and meets on the southern boundary of Ib Block-II (Ib Valley Coalfield) acquired u/s. 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide notification S.O. 22(E) dated 9/13-1-1981 at point C12.
- C12—C Line passes along the southern boundary of Ib Block-II (Ib Valley Coalfield) acquired u/s. 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide notification S.O. 22(E) dated 9/13-1-1981 and meets at the starting point 'C'.

का०आ० 420 :—केन्द्रीय सरकार को यह प्रतीत होता है कि इनसे उपावद्ध अनुसूची में उल्लिखित परिक्षेत्र में की भूमि में कोयला अभिप्राप्त किए जाने की संभावना है।

अतः केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है :

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं० सी-1(ई) III/एच आर/280-484 तारीख 4 अप्रैल 1984 का निरीक्षण वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) कोयला एस्टेट सिविल लाइन्स नागपुर-440001 के कार्यालय में था कलकत्ता छिन्दवाड़ा (मध्य प्रदेश) के कार्यालय में अथवा कोयला नियंत्रक 1-काउन्सिल हाउस स्ट्रीट कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिन के भीतर राजस्व अधिकारी वेस्टर्न कोलफील्ड्स लिमिटेड कोयला एस्टेट सिविल लाइन्स नागपुर-440001 को भेजेंगे।

अनुसूची

कन्हा उत्तरी ब्लॉक
जिला छिन्दवाड़ा (मध्य प्रदेश)

क्रम सं०	ग्राम	तहसील	पटवारी सफिल सं०	जिला	हेक्टरों में क्षेत्र	टिप्पणियां
1	2	3	4	5	6	7
1.	उमराड़ी	छिन्दवाड़ा	32	छिन्दवाड़ा	891.717	पूर्ण
2.	पटनिया	—यथोक्त—	32	—यथोक्त—	250.372	पूर्ण
3.	सगोनिया	—यथोक्त—	11	—यथोक्त—	312.927	भाग
4.	पनौरा	—यथोक्त—	31	—यथोक्त—	402.769	भाग
5.	गारादेवी	—यथोक्त—	36	—यथोक्त—	192.538	पूर्ण
6.	गारादेवी	—यथोक्त—	—यथोक्त—	—यथोक्त—	320.243	भाग

1	2	3	4	5	6	7
7.	बिलावर खुर्द	छिन्वाड़ा	32	छिन्वाड़ा	210.194	पूर्ण
8.	बिलावर कलां	—यथोक्त—	32	—यथोक्त—	661.599	पूर्ण
9.	मोआरी	—यथोक्त—	35	—यथोक्त—	400.079	पूर्ण
10.	बेलखेड़ी	—यथोक्त—	35	—यथोक्त—	193.980	पूर्ण
11.	मोहरिया	—यथोक्त—	35	—यथोक्त—	411.368	पूर्ण
12.	अलीवाड़ा	—यथोक्त—	36	—यथोक्त—	232.425	पूर्ण
13.	चिखलमऊ	—यथोक्त—	36	—यथोक्त—	70.636	भाग
14.	जामई	—यथोक्त—	36	—यथोक्त—	507.287	पूर्ण
15.	सुकरी	—यथोक्त—	37	—यथोक्त—	95.247	भाग
16.	उमरिया फदाली	—यथोक्त—	37	—यथोक्त—	283.846	भाग
17.	टाटरवाड़ा	—यथोक्त—	53	—यथोक्त—	215.223	पूर्ण
18.	कोटाखारी	—यथोक्त—	35	—यथोक्त—	354.077	पूर्ण
19.	कोटाखारी	—यथोक्त—	35	—यथोक्त—	655.870	पूर्ण
20.	केवलारी	—यथोक्त—	53	—यथोक्त—	775.053	भाग
21.	रिछेड़ा	—यथोक्त—	53	—यथोक्त—	463.591	भाग
22.	जमकुण्डा	—यथोक्त—	37	—यथोक्त—	29.251	भाग
23.	बिछुआ	—यथोक्त—	53	—यथोक्त—	329.587	पूर्ण
24.	घुट्टी	—यथोक्त—	37	—यथोक्त—	247.238	पूर्ण
25.	बिलावर खुर्द	—यथोक्त—	—	—यथोक्त—	75.304	पूर्ण

कुल क्षेत्र : 8582.421 हेक्टर (लगभग)

अर्थात् : 21207.162 एकड़ (लगभग)

सीमा वर्णन

- क—ख रेखा उमराड़ी और जूनापानी, बिलावर कलां और जूनापानी, बिलावर कलां आवन, गोआरी और करन पिपरिया, मोहरिया और ढाला पत्थर, कोटा खारी और ढाला पत्थर और कोटाखारी और गुदुम ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है तथा कोटाखारी, कोटाखारी आ-वन तथा गुदुम तीनों ग्रामों के जंक्शन पर बिन्दु "ख" पर मिलती है।
- ख—ग रेखा, कोटा खारी आ-वन और मेंका देवरी बिछुआ और मेंका देवरी बिछुआ और धवासिया ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है तथा बिछुआ, धवासिया और रिछेड़ा तीनों ग्रामों के जंक्शन पर बिन्दु "ग" पर मिलती है।
- ग—घ रेखा, बिछुआ और रिछेड़ा ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है फिर ग्राम केवलारी से और फिर ग्राम कोटाखारी आ-वन और मोरकुण्ड टाटखाड़ा और मोरकुण्ड ग्रामों की सम्मिलित सीमा के साथ-साथ जाती है और ग्राम टाटखाड़ा मोरकुण्ड और घुट्टी तीनों ग्रामों के जंक्शन पर बिन्दु "घ" पर मिलती है।
- घ—ङ रेखा घुट्टी और मोरकुण्ड उमरिया फदाली और मोरकुण्ड केवलारी और मोरकुण्ड ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है, फिर केलावरी और रिछेड़ा ग्रामों से होकर जाती है और रिछेड़ा, धवासिया तथा मण्डवा तीनों ग्रामों के जंक्शन पर बिन्दु "ङ" पर मिलती है।
- ङ—च रेखा, रिछेड़ा और मण्डवा, रिछेड़ा और चारी, रिछेड़ा और पिपरराज, रिछेड़ा और पाला चौराई केवलारी और पालाचौराई केवलारी और नजरपुर, उमरिया फदाली और नजरपुर ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है और उमरिया, फदाली, नजरपुर, और जमकुण्डा तीनों ग्रामों के जंक्शन पर बिन्दु "च" पर मिलती है।
- च—छ रेखा, जमकुण्डा ग्राम से होकर जाती है और बिन्दु "छ" पर मिलती है।
- छ—ज रेखा, जमकुण्डा और उमरिया, फदाली ग्रामों से होकर जाती है फिर उमरिया, फदाली और घुट्टी की सम्मिलित ग्राम सीमा के साथ-साथ जाती है और फिर सुकरी ग्राम से होकर जाती है और सुकरी, जामई और खापास्वामी तीनों ग्रामों के जंक्शन पर बिन्दु "ज" पर मिलती है।
- ज—झ रेखा, जामई और खापास्वामी ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है और जामई खापास्वामी तथा तलाबादी तीनों ग्रामों के जंक्शन पर बिन्दु "झ" पर मिलती है।

- अ—अ रेखा, जामई और डलताबादी, जामई और गारादेवी और वन जामई और जनौर, बिस्त चिखलमउ और जनौर बिस्त ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है और चिखलमउ तथा जनौर, बिस्त ग्रामों की सम्मिलित सीमा पर बिन्दु "अ" पर मिलती है।
- अ—ट रेखा, ग्राम चिखलमउ से होकर पश्चिम से पूर्व जाती है फिर अलीवाड़ा, चिखलमउ, बेलखेड़ी और चिखलमउ ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है और बेलखेड़ी तथा गारादेवी आ-वन ग्रामों की सम्मिलित सीमा पर बिन्दु "ट" पर मिलती है।
- ठ—ठ रेखा, गारादेवी वा. व. और चिखलमउ ग्रामों की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु "ठ" पर मिलती है।
- ठ—ड रेखा, गारादेवी आ.व. ग्राम से होकर पूर्व से पश्चिम की ओर जाती है फिर गारादेवी और गारादेवी आ-वन पनारा और गारादेवी आ-वन ग्रामों की सम्मिलित सीमा के साथ-साथ जाती है और फिर ग्राम पनारा से होकर पूर्व से पश्चिम जाती है और पनारा और सगोनिया ग्रामों की सम्मिलित सीमा पर बिन्दु "ड" पर मिलती है।
- ड—द रेखा, पनारा और सगोनिया ग्रामों की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु "द" पर मिलती है।
- द—ण रेखा, सगोनिया ग्राम से होकर पूर्व से पश्चिम फिर उत्तर से दक्षिण और फिर पश्चिम से पूर्व जाती है तथा पनारा और सगोनिया ग्रामों की सम्मिलित सीमा पर बिन्दु "ण" पर मिलती है।
- ण—त रेखा, सगोनिया और पनारा ग्रामों की सम्मिलित सीमा के साथ-साथ जाती है और सगोनिया, पनारा तथा पुरेना कोठी तीन ग्रामों के जंक्शन पर बिन्दु "त" पर मिलती है।
- त—थ रेखा, सगोनिया, और पुरेना कोठी सगोनिया और घोड़ावारी कलां ग्रामों की सम्मिलित सीमा के साथ-साथ जाती है और सगोनिया, घोड़ावारी और माली तीन ग्रामों के जंक्शन पर बिन्दु "थ" पर मिलती है।
- थ—द रेखा, सगोनिया और माली, पटनियां और माली, पटनिया और बिजोरी, उमराड़ी और बिजोरी उमराड़ी और छावड़ा और उमराड़ी तथा घाटखाफ ग्रामों की सम्मिलित सीमा के साथ-साथ जाती है और उमराड़ी, घाटखाफा और खुता-पानी तीनों ग्रामों के जंक्शन पर आरंभिक बिन्दु "क" पर मिलती है।

[सं० 43019/17/84-सी ए]

समय सिंह, अवर सचिव

S. O. 420.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing No. C-1(E)III/HR/280-484 dated the 4th April, 1984 of the area covered by this notification can be inspected at the Office of the Western Coalfields Limited (Revenue Section), Coal Estate, Civil Lines, Nagpur-440001 or at the office of the Collector, Chhindwara (Madhya Pradesh) or at the office of the Coal Controller, I, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-440001 within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

KANHAN NORTH BLOCK

DISTRICT CHHINDWARA (MADHYA PRADESH)

Sl. No.	Villages	Tahsil	Patwari Circle No.	District	Area in hectares	Remarks
1	2	3	4	5	6	7
1.	Umradi	Chhindwara	32	Chhindwara	891.771	Full
2.	Pataniya	-do-	32	-do-	250.372	Full
3.	Sagonia	-do-	11	-do-	312.927	Part
4.	Panara	-do-	31	-do-	402.769	Part
5.	Garadevi	-do-	36	-do-	192.538	Full
6.	Garadevi	-do-	-	-do-	320.243	Part
7.	Bilwar Khurd	-do-	32	-do-	210.194	Full
8.	Bilawar Kalan	-do-	32	-do-	661.599	Full
9.	Moari	-do-	35	-do-	400.079	Full
10.	Belkheri	-do-	35	-do-	193.980	Full
11.	Moharia	-do-	35	-do-	411.368	Full

1	2	3	4	5	6	7
12.	Aliwara	Chhindwara	36	Chhindwara	232.425	Full
13.	Chikhalmau	-do-	36	-do-	70.636	Part
14.	Jamai	-do-	36	-do-	507.287	Full
15.	Sukri	-do-	37	-do-	95.247	Part
16.	Umaria Fadali	-do-	37	-do-	283.846	Part
17.	Tatarwara	-do-	53	-do-	215.223	Full
18.	Kotakhari	-do-	35	-do-	354.077	Full
19.	Kotakhari	-do-	..	-do-	655.870	Full
20.	Keolari	-do-	53	-do-	755.053	Part
21.	Richhera	-do-	53	-do-	463.591	Part
22.	Jamkunda	-do-	37	-do-	29.251	Part
23.	Bichhua	-do-	53	-do-	329.587	Full
24.	Ghutti	-do-	37	-do-	247.238	Full
25.	Bilawar Khurd	-do-	..	-do-	75.304	Full

Total area : 8582.421 hectares
(approximately)
i.e. 21207.162 acres
(approximately)

Boundary Description :

A-B : Line passes along the common village boundary of villages Umradi, and Junapani, Bilawar Kalan and Janapani, Bilawar Kalan and Bilawar Kalan R.F., Moari and Karn Piparia, Moharia and Dhala Pathar, Kotakhari and Dhala Pathar and Kotakhari and Guddum and meets on the trijunction of villages Kotakhari, Kotakhari R. F. and Guddum at point 'B'.

B-C : Line passes along the common village boundary of villages Kotakhari R. F. and Menka Deori, Bichhua and Menka Deori, Bichhua and Dhawasia and meets on the trijunction of villages Bichhua, Dhawasia and Richhera at point 'C'.

C-D : Line passes along the common village boundary of villages Bichhua and Richhera, then through village Keolari and then along common boundary of villages Kotakhari R. F. and Morkund, Tatarwara and Morkund and meets on the trijunction of villages Tatarwara, Morkund and Ghutti at point 'D'.

D-E : Line passes along the common village boundary of villages Ghutti and Morkund, Umaria Fadali and Morkund, Keolari and Morkund, then through villages Keolari and Richhera and meets on the trijunction of villages Richhera, Dhawasia and Mandwa at point 'E'.

E-F : Line passes along the common village boundary of villages Richhera and Mandwa, Richhera and Chari, Richhera and Dipraj, Richhera and Palachourai, Keolari and Palachourai, Keolari and Nazarpur, Umaria Fadali and Nazarpur and meets on the trijunction of village Umaria Fadali, Nazarpur and Jamkunda at point 'F'.

F-G : Line passes through village Jamkunda and meets at point 'G'.

G-H : Line passes through villages Jamkunda and Umaria Fadali, then along the common village boundary of Umaria Fadali and Ghutti, and then passes through village Sukri and meets on the trijunction of village Sukri, Jamai and Khapaswami at point 'H'.

H-I : Line passes along the common village boundary of villages Jamai and Khapaswami and meets on trijunction of villages Jamai, Khapaswami and Datlabadi at point 'I'.

I-J : Line passes along the common village boundary of villages Jamai and Datlabadi, Jamai and Garadevi R. F. Jamai and Junnor Bist, Chikhalmau and Junnor Bist and Meets on the common boundary of villages Chikhalmau and Junnor Bist at point 'J'.

J-K : Line passes through village Chikhalmau from West to East, then along the common village boundary of villages Aliwara and Chikhalmau, Belkheri and Chikhalmau and meets on the common boundary of villages Belkheri and Garadevi R.F. at point 'K'.

K-L : Line passes along the common boundary of villages Garadevi R. F. and Chikhalmau and meets at point 'L'.

L-M : Line passes through villages Garadevi R. F. from East to West, then along the common boundary of villages Garadevi and Garadevi R. F., Panara and Garadevi R. F., and then passes through village Panara from East to West and meets on the common boundary of villages Panara and Sagoniya at point 'M'.

M-N : Line passes along the common village boundary of villages Panara and Sagoniya and meets at point 'N'.

N-O : Line passes through village Sagoniya from East to West, then North to South and then from West to East and meets on the common boundary of villages Panara and Sagoniya at point 'O'.

O-P : Line passes along the common boundary of villages Sagoniya and Panara and meets on the trijunction of villages Sagoniya, Panara and Purena Kothi at point 'P'.

P-Q : Line passes along the common boundary of villages Sagoniya and Purena Kothi, Sagoniya and Ghorwari Kalan, and meets on the trijunction of villages Sagoniya, Ghorwari and Mali at point 'Q'.

Q-A : Line passes along the common boundary of villages Sagoniya and Mali, Pataniya and Mali, Pataniya and Bijori, Umradi and Bijori, Umradi and Chabra, and Umradi and Ghaikbana and meets on the trijunction of villages Umradi, Ghatkhapa and Junapani at the starting point 'A'.

SAMAY SINGH, Under Secy.

[No. 43019/17/84-CA]

पेट्रोलियम मंत्रालय

नई दिल्ली, 14 जनवरी, 1985

का. वा 421 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में विजयपुर (म. प्र.) से सवाई माधोपुर तक

पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णित कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल एवं प्राकृतिक गैस आयोग सी एण्ड एम प्रभाग, एच. बी. जे. गैस पाइप लाइन परियोजना, 49 इन्द्रा कालोनी, सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सूनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बिजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : अटूर

गांव	खसरा नं.	हेक्टर	अर	सेंटीअर
बलदवपुरा	80	0	00	37
	81	0	04	23
	33	0	01	29
	5	0	13	29
	6	0	60	56
	21	0	74	32
	38	0	20	02
	37	0	20	13
	39	0	85	14
	79	0	06	35
	78	0	22	56

[सं. O-14016/562/84-जी पी]

MINISTRY OF PETROLEUM

New Delhi, the 14th January, 1985

S.O. 421.—Whereas it appears to the Central Government that it is in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by subsection (1) of the Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Rajasthan)
State : Rajasthan District : Kota Tehsil: Atru

Village	Survey No.	Hect.	Are	Centi-
		tare		tiare
Baldavpur	80	0	00	37
	81	0	04	23
	33	0	01	29
	5	0	13	29
	6	0	60	56
	21	0	74	32
	38	0	20	02
	37	0	20	13
	39	0	85	14
	79	0	06	35
	78	0	22	56

[No O-14016/562/84-GP]

का. आ. 422.—अतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर (म.प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है

वर्णित कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम अधिकारी तेल एवं प्राकृतिक गैस आयोग, सी एण्ड एम प्रभाग एच.बी.जे. गैस पाइप लाइन परियोजना, 49, इन्द्रा कालोनी, सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सूनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

SCHEDULE

Pipeline from Bijaipur (M. P.) to Sawai Madhopur
State : Rajasthan District : Kota Tehsil : Atru

अनुसूची

बिजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य: राजस्थान	जिला: कोटा	तहसील: अट्रु		
गांव	खसरा नं.	हेक्टर	आर	सेंटीआर
हानीहेडा	69	0	00	08
	470	0	04	55
	477	0	21	40
	115	0	01	65
	97	0	14	65
	107	0	16	44
	111	0	16	70
	96	0	15	76
	99	0	11	17
	112	0	01	27
	72	1	30	70
	119	0	19	19
	100	0	16	66
	124	0	02	00
	116	0	48	33
	108	0	36	70
	118	0	39	91
	98	0	08	73
	480	0	51	74
	110	0	17	76
	1	0	09	16
	476	0	25	26
	481	0	10	82

[सं. O-14016/548/84-जी पी]

S.O. 422.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

Village	Survey No.	Hec- tare	Are	Centi- are
Haniheda	69	0	00	08
	470	0	04	55
	477	0	21	40
	115	0	01	65
	97	0	14	65
	107	0	16	44
	211	0	16	70
	96	0	15	76
	99	0	11	17
	112	0	01	27
	72	1	30	70
	119	0	19	19
	100	0	16	66
	124	0	02	00
	116	0	48	33
	108	0	36	70
	118	0	39	91
	98	0	08	73
	480	0	51	74
	110	0	17	76
	1	0	09	16
	476	0	25	26
	481	0	10	82

[No. O-14016/548/84-GP]

का. आ. 423.—अतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर (म. प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल एवं प्राकृतिक गैस आयोग सी. एण्ड एम. प्रभाग एच. बी. जे. गैस पाइप लाइन परियोजना 49 इन्द्रा कालोमी सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा

और ऐसा आक्षेप करने वाला हर व्यक्ति निर्निवृत्तता यह भी कबन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बिजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन
बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : अट्रु

गांव	खसरा नं.	हेक्टर	आर	सेंटीआर
खेडलीबासला	11	0	09	17
	14	0	33	46
	17	0	32	81
	12	0	51	86
	10	0	24	23
	15	0	13	17
	13	0	10	87
	16/327	0	01	53
	18	0	07	06
	82	0	20	93
	81	0	61	27
	113	0	06	51
	80	0	03	25
	116	0	25	62
	115	0	08	94
	118	0	01	43
	119	0	17	87
	120	0	10	47
	122	0	00	50
	130	0	48	69
	138	0	07	06
	149	0	56	21
	150	0	30	69
	183	0	01	38
	178	0	02	00
	179	0	04	16
	180	0	23	39
	146	0	00	94
	181	0	65	57
	182	0	03	73
	173	0	04	65
	298	0	31	05
	305	0	18	82
	306	0	04	04
	310	0	46	41
	311	0	24	46
	312	0	08	23
	299	0	06	12
	297	0	28	81
	125	0	00	94

[सं० O-14016/547/84-जीपी]

In Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijapur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Kota Tehsil : Atru

Village	Survey No.	Hect-are	Are	Centi-are
Khodali-Basala	11	0	09	17
	14	0	33	46
	17	0	32	81
	12	0	51	86
	10	0	21	23
	15	0	13	17
	13	0	10	87
	16/327	0	01	53
	18	0	07	06
	82	0	20	93
	81	0	61	27
	113	0	06	51
	80	0	03	25
	116	0	25	62
	115	0	08	94
	118	0	01	43
	119	0	17	87
	120	0	10	47
	122	0	00	50
	130	0	48	69
	138	0	07	06
	149	0	56	21
	150	0	30	69
	183	0	01	38
	178	0	02	00
	179	0	04	16
	180	0	23	39
	146	0	00	94
	181	0	65	57
	182	0	03	73
	173	0	04	65
	298	0	31	05
	305	0	18	82
	306	0	04	04
	310	0	46	41
	311	0	24	46
	312	0	08	23
	299	0	06	12
	297	0	28	81
	125	0	00	94

S.O. 423.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijapur (M.P.) to Sawai Madhopur

[No. O-14016/547/84-GP]

का. आ. 424—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर [म० प्र०] से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बगलें कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल एवं प्राकृतिक गैस आयोग सी एण्ड एम प्रभाग एच. बी. जे. गैस पाइप लाइन परियोजना 49 इन्द्रा कालोनी सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बिजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य . . . राजस्थान	जिला . . . कोटा	तहसील . . . अटसू	गांव	खसरा नं०	हेक्टर	आर	सेंटीआर
			वरला	415	0	51	27
				420	0	65	30
				396	0	00	13
				419	0	14	58
				398	0	27	86
				421	0	02	12
				423	0	00	05

[सं० O-14016/549/84-जीपी]

S.O. 424.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur

State : Rajasthan District : Kota

Tehsil : Atru

Village	Survey No.	Hecta-are	Are	Centi-are
Barla	415	0	51	27
	420	0	65	30
	396	0	00	13
	419	0	14	58
	398	0	27	86
	421	0	02	12
	423	0	00	05

[No. O-14016/549/84-GP]

का. आ. 425.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर (म० प्र०) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बगलें कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल एवं प्राकृतिक गैस आयोग सी एण्ड एम प्रभाग एच. बी. जे. गैस पाइप लाइन परियोजना 49 इन्द्रा कालोनी सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य . . राजस्थान . . जिला . . कोटा . . तहसील . . छबड़ा

गांव	खसरा नं.	हेक्टर	आर	सेंटीआर
कमालपुरा	57	0	02	97
	58	0	25	99
	59	0	12	86
	60	0	24	37
	63	0	31	04
	76	0	64	15
	61	0	00	78

[सं. O-14016/550/84-जीपी]

S.O. 425.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, H.B.J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Kota Tehsil : Chabra

Village	Survey No.	Hect-are	Are	Centi-are
Kamalपुरा	57	0	02	97
	58	0	25	99
	59	0	12	86
	60	0	24	37
	63	0	31	04
	76	0	64	15
	61	0	00	78

[No. O-14016/550/84-GP]

का. आ. 426 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में विजयपुर (म. प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

1418GI/84-4

औरयतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्शते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल एवं प्राकृतिक गैस आयोग से एण्ड एम प्रभाग, एच. बी. जे. गैस पाइप लाइन परियोजना 49, इन्द्रा कॉलोनी सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति निनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य . . राजस्थान . . जिला . . कोटा . . तहसील . . छबड़ा

गांव	खसरा नं.	हेक्टर	आर	सेंटीआर
घट्टा	367	2	38	49

[सं. O. 14016/551/84-जीपी]

S.O. 426.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission ;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Kota Tehsil : Chabra

Village	Survey No.	Hect-are	Are	Centi-are
Ghatta	367	2	38	49

[No. O-14016/551/84-GP]

का. आ. 427 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर (म. प्र.) से सर्वाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णित कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल एवं प्राकृतिक गैस आयोग सी एण्ड एम प्रभाग एच. बी. जे. गैस पाइप लाइन परियोजना 49 इन्द्रा कालोनी सर्वाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बिजयपुर (म. प्र.) . सर्वाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान : जिला : कोटा : तहसील : छबड़ा

गांव	खसरा नं.	हेक्टर	आर	सेंटीआर
कालाखेडी	108	0	10	99
	102	0	24	76
	107	0	09	69
	107/133	0	28	62
	110	0	20	37
	109	0	14	47
	111	0	02	59
	112	0	23	46
	106	0	00	78

[सं. O-14016/557/84-जीपी]

S.O. 427.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

—And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan District : Kota Tehsil : Chabra

Village	Survey No.	Hect-are	Are	Centi-are
Kalakhedi	108	0	10	99
	102	0	24	76
	107	0	09	69
	107/133	0	28	62
	110	0	20	37
	109	0	14	47
	111	0	02	59
	112	0	23	46
	101	0	00	78

[No. O-14016/557/84—GP]

का. आ. 428 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर (म. प्र.) से सर्वाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णित कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल एवं प्राकृतिक गैस आयोग, सी एण्ड एम प्रभाग एच. बी. जे. गैस पाइप लाइन परियोजना, 49, इन्द्रा कालोनी, सर्वाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बिजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइपलाइन बिछाने के लिए

राज्य : राजस्थान : जिला : कोटा : तहसील : अटूर

गांव खसरा नं. हेक्टर आर. सेंटीआर

सिंदनी जागीर	34	0	02	08
	41	1	33	35
	35	0	51	39
	224	2	13	84
	53	0	17	82
	29	0	16	94
	56	0	03	56
	28	0	34	75
	51	0	11	88
	52	0	21	09
	54	0	08	70
	30	0	19	60
	49	0	01	25
	50	0	33	32
	42	0	03	56
	48	0	75	23
	223	0	02	08

[सं. O-14016/558/84-जीपी]

S.O. 428.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto,

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan District : Kota Tehsil : Atru

Village	Survey No.	Hect-are	Are	Centi-are
1	2	3	4	5
Sindani Jagir	34	0	02	08
	41	1	33	35
	35	0	51	39

1	2	3	4	5
Sindani Jagir	224	2	13	84
	53	0	17	82
	29	0	16	93
	56	0	03	56
	28	0	34	75
	51	0	11	88
	52	0	21	09
	54	0	08	70
	30	0	19	60
	49	0	01	25
	50	0	33	32
	42	0	03	56
	48	0	75	23
	223	0	02	08

[No. O-14016/558/84-GP]

का.आ. 429 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर (म.प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिये पाईप लाइन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी स्थानों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (19-62का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल एवं प्राकृतिक गैस आयोग, सी एण्ड एम प्रभाग, एच. बी. जे. गैस पाइप लाइन परियोजना, 49, इन्द्रा कॉलोनी, सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची I

बिजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाईप लाइन बिछाने के लिए राज्य : राजस्थान, जिला : कोटा तहसील : अटूर

गांव	खसरा नं.	हेक्टर	आर.	से.
सोलाहेडी	232	1	52	88

[सं. O-14016/559/84-जी. पी.]

S.O. 429.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijapur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijapur (M.P.) to Sawai Madhopur

State : Rajasthan District : Kota Tehsil : Atru

Village	Survey No.	Hect- are	Are	Centi- are
Lolahedi	232	1	52	88

[No. O-14016/559/84—GP]

का. आ. 430—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर (म. प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाईप लाईन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के बीच पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल एवं प्राकृतिक गैस आयोग, सी एण्ड एम प्रभाग, एच. बी. जे. गैस पाईप लाईन परियोजना, 49, इन्द्रा कॉलोनी सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चिततया यह भी कथन करेगा कि क्या वह-यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बिजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन बिछाने के लिए

राज्य राजस्थान जिला कोटा तहसील अट्रु

गांव	खसरा नं.	हेक्टर	आर	से.
दड़ा	51	0	02	35
	15	0	34	94
	63	0	29	63
	60	0	54	10
	55	0	83	97
	14	0	42	33
	16	0	05	51
	10	0	99	62
	64	0	55	98
	11	0	02	82
	59	0	04	70
	13	0	03	28

[सं. O-14016/561/84—जी. पी.]

S.O. 430.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijapur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijapur (M.P.) to Sawai Madhopur

State : Rajasthan District : Kota Tehsil : Atru

Village	Survey No.	Hect- are	Are	Centi- are
Dara	51	0	02	35
	15	0	34	94
	63	0	29	63
	60	0	54	10
	55	0	83	97
	14	0	42	33
	16	0	05	51
	10	0	99	62
	64	0	55	98
	11	0	02	82
	59	0	04	70
	13	0	03	28

[No. O-14016/561/84—GP]

का. आ. 431 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में विजयपुर (म.प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाईप लाईन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन [भूमि में उपयोग के अधिकार का अर्जन] अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल एवं प्राकृतिक गैस आयोग सी एण्ड एम प्रभाग, एच. बी. जे. गैस पाईप लाईन परियोजना, 49, इन्द्रा, कालोनी, सवाई माधोपुर को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई गतिगत रूप से हो या किसी बिधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन बिछाने के लिए

राज्य:	राजस्थान	जिला:	कोटा	तहसील:	अटल
गांव	खसरा नं.	हे.	आर.	से.	
1	2	3	4	5	
कवाई	7	0	15	05	
	6	0	46	57	
	8	0	50	33	
	13	0	60	47	
	9	0	30	51	
	10	0	00	07	
	379	0	11	62	
	956	0	02	35	
	955	0	16	23	
	957	0	04	70	
	987	0	63	29	
	1316	0	13	03	
	1364	0	30	81	
	1448	0	02	82	
	1471	0	76	91	
	1326	0	07	29	

1	2	3	4	5
कवाई—जारी	1470	0	07	29
	72	0	35	04
	1316/1553	0	06	35
	62	0	01	88
	12	0	64	17
	979	0	06	67
	1336	0	40	34
	972	0	03	32
	971	0	02	03
	1330	0	00	05
	970	0	00	28
	989	0	25	40
	23	0	05	03
	32	0	02	34
	40	0	56	38
	1325	0	31	05
	53	0	29	40
	1317	0	03	91
	1351/1563	0	00	74
	378	0	04	61
	1329	0	60	60
	1352	0	52	63
	44	0	07	29
	56	0	39	75
	387	0	24	93
	29	0	01	63
	31	0	52	71
	11	0	06	86
	978	0	00	18
	58	0	01	12
	1453	0	47	28
	75	0	08	94
	985	0	25	17
	990	0	13	64
	981	0	04	16
	1327	0	00	94
	988	0	03	29
	982	0	20	77
	969	0	00	48
	980	0	19	57
	43	0	00	05
	54	0	03	43
	55	0	27	98
	30	0	56	37
	52	0	04	23
	386	0	18	85
	385	0	00	43

1	2	3	4	5	1	2	3	4	5
कवाई—समाप्त	31/1554	0	03	96	Rvaji—Contd.	955	0	16	23
	376	0	17	17		957	0	04	70
	377	0	53	01		987	0	63	29
	381	0	00	15		1316	0	13	03
	42	0	32	87		1364	0	30	81
	59	0	48	27		1448	0	02	82
	388	0	33	15		1471	0	76	91
	389	0	09	17		1326	0	07	29
	391	0	39	04		1470	0	07	29
	392	0	03	53		72	0	35	04
	393	0	12	94		1316/1553	0	06	35
	1454	0	31	54		62	0	01	88
	1466	0	12	94		12	0	64	17
	1365	0	00	05		979	0	06	67
	973	0	00	89		1336	0	40	34
	241	0	09	64		972	0	02	32
	21	0	01	30		971	0	03	03
	22	0	36	35		1330	0	00	05
	1455	0	12	09		970	9	00	28
						989	0	25	40
						23	0	05	03
						32	0	02	34
						40	0	56	38
						1325	0	31	05
						53	0	29	40
						1317	0	03	91
						1351/1563	0	00	74
						378	0	04	61
						1329	0	60	60
						1352	0	52	63
						44	0	07	29
						56	0	39	75
						387	0	24	93
						29	0	01	63
						31	0	52	71
						11	0	06	86
						978	0	00	18
						58	0	01	12
						1453	0	47	28
						75	0	08	94
						985	0	25	17
						990	0	13	64
						981	0	04	16
						1327	0	00	94
						988	0	03	29
						982	0	20	77
						969	0	00	48
						980	0	19	57
						43	0	00	05
						54	0	03	43
						55	0	27	98
						30	0	56	37
						52	0	04	23
						386	0	18	85
						385	0	00	43
						31/1554	0	03	96
						376	0	17	17
						377	0	53	01
						381	0	00	15
						42	0	32	87
						59	0	48	27
						388	0	33	15
						389	0	09	17
						391	0	39	04
						392	0	03	53
						393	0	12	94
						1454	0	31	54

[सं. O—14016/546/84—जी.पी.]

S.O. 432.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by subsection (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan District : Kota Tehsil : Atru

Village	Survey No.	Hecta- are	Are	Centi- are
1	2	3	4	5
Kavai	7	0	15	05
	6	0	46	57
	8	0	50	33
	13	0	60	47
	9	0	30	51
	10	0	00	07
	379	0	11	62
	956	0	02	35

1	2	3	4	5
	1455	0	12	09
	1466	0	12	94
	1365	0	00	05
	973	0	00	89
	241	0	09	64
	21	0	01	30
	22	0	36	35

[No. O-14016/546/84-G.P.]

का. आ. 332 :— यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में विजयपुर (म. प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाईप लाईन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्णित कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल एवं प्राकृतिक गैस आयोग, सी एण्ड एम प्रभाग, एच. बी. जे. गैस पाईप लाईन परियोजना, 49 इन्द्रा कालोनी, सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुसवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन बिछाने के लिए

राज्य राजस्थान जिला कोटा तहसील छबड़ा

गांव	खसरा नं.	हे.	आर.	सेन्टीआर
1	2	3	4	5
भौरा	1	0	00	30
	2	0	30	29
	3	0	08	02
	4	0	48	41
	11	0	23	17
	14	0	38	31
	15	0	04	75

1	2	3	4	5
	35	0	34	76
	43	0	30	29
	44	0	30	96
	47/295	0	02	29
	46	0	27	92
	45	0	04	46
	38	0	25	56
	50	0	01	47
	51	0	02	97
	52	0	39	79
	54	0	26	73
	55	0	34	16
	53	0	21	98
	1/295	0	01	49

[सं. O-14016/554/84-जी. पी.]

S.O. 433.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to sawai Madhopur (Raj.)

State : Rajasthan—District Kota—Tehsil Chabra

Village	Survey No.	Hec-tare	Are	Centiare
1	2	3	4	5
Bhonra	1	0	00	30
	2	0	30	29
	3	0	08	02
	4	0	48	41
	11	0	23	17
	14	0	38	31
	15	0	04	75
	35	0	34	76
	43	0	30	29
	44	0	30	96
	47/295	0	02	29
	46	0	27	92
	45	0	04	46
	38	0	25	56
	50	0	01	47

1	2	3	4	5
	51	0	02	97
	52	0	39	79
	54	0	26	73
	55	0	34	16
	53	0	21	98
	1/295	0	01	49

[No. O-14016/552/84-G.P.]

का. आ. 433 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर (म. प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाईप लाईन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल एवं प्राकृतिक गैस आयोग, सी. एण्ड. एम. प्रभाग एच. बी. जे. गैस पाईप लाईन परियोजना, 49, इन्द्रा कालोनी, सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बिजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन बिछाने के लिए

राज्य राजस्थान जिला कोटा तहसील छबड़ा

गांव	खसरा नं.	हे.	आर.	सेन्टीआर
यमीन पुरा	82	0	86	62
नया गांव	81	0	08	83
	79	0	84	54
	85	0	18	41

[सं. O-14016/553/84—जी. पी.]

S.O. 431.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission:

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan—District Kota—Tehsil Chabra

Village	Survey No.	Hectare	Area	Centiare
Yaminpura Nayagaon	82	0	86	62
	81	0	08	83
	79	0	84	54
	85	0	18	41

[No. O-14016/553/84-G.P.]

का. आ. 434 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में बिजयपुर (म. प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाईप लाईन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल एवं प्राकृतिक गैस आयोग, सी. एण्ड. एम. प्रभाग, एच. बी. जे. गैस पाईप लाईन परियोजना, 49, इन्द्रा कालोनी सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन बिछाने के लिए

राज्य राजस्थान जिला कोटा तहसील छबड़ा

गांव	खसरा नं.	हे.	आर.	सेन्टी- आर
घट्टी	102	1	25	33
	98	0	29	94
	99	0	01	25
	96	0	23	02
	97	0	24	65
	94	0	06	98
	92	0	38	50
	91/204	0	10	31
	91/205	0	10	58
	91/220	0	11	18
	162	0	55	23
	160	0	04	54
	164	0	50	34
	165	0	52	42
	167	0	26	73
	202	0	13	07
	95	0	01	78
	119	0	00	71
	146	0	00	27
	147	0	00	04
	148	0	00	06
	149	0	01	19
	159	0	00	16
	161	0	01	18

[सं. O-14016/555/84-जी. पी.]

S.O. 434.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

1418 CI/84-5

SCHEDULE

Pipeline from Bijaipur (M.P.)—to Sawai Madhopur (Raj.)
State : Rajasthan—District Kota—Tehsil Chabra

Village	Survey No.	Hec- tare	Are	Centi- tiare
Ghatti	102	1	25	33
	98	0	29	94
	99	0	01	25
	96	0	23	02
	97	0	24	65
	94	0	06	98
	92	0	38	50
	91/204	0	10	31
	91/205	0	10	58
	91/220	0	11	18
	162	0	55	23
	160	0	04	54
	164	0	50	34
	165	0	52	42
	167	0	26	73
	202	0	13	07
	95	0	01	78
	119	0	00	71
	146	0	00	27
	147	0	00	04
	148	0	00	06
	149	0	01	19
	159	0	00	16
	161	0	01	18

[No. O-14016/554/84—G.P.]

का. आ. 435:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में विजयपुर (म. प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाईप लाईन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्पावत्र अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

अर्थात् कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल एवं प्राकृतिक गैस आयोग, सी. एण्ड. एम. प्रभाग, एच. बी. जे. गैस पाईप लाईन परियोजना, 49, इन्द्रा कालोनी, सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन बिछाने के लिए

राज्य	राजस्थान	जिला	कोटा	तहसील	छबड़ा
गांव	खसरा नं.	हे.	आर.	सें.	
कसोली	129		0	46	04
	131		0	17	52
	130		0	02	08

[सं. O-14016/554/84-जी. पी.]

S.O. 435.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipelint, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Vijai Pur (M.P.) to Sawai Madhopur (Rajasthan)
State : Rajasthan District : Kota Tehsil : Chabra

Village	Survey No.	Hec- tare	Are	Centiare
Kaisholi	129	0	46	04
	131	0	17	52
	130	0	02	08

[No. O-14016/554/84—G.P.]

का. आ. 436 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में विजयपुर (म. प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाईप लाईन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस

भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल एवं प्राकृतिक गैस आयोग, सी एण्ड एम प्रभाग, एच. बी. जे. गैस पाईप लाईन परियोजना, 49 इन्द्रा कालोनी, सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चिततया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन बिछाने के लिए

राज्य :	राजस्थान	जिला :	कोटा	तहसील :	अट्रू
गांव	खसरा नं.	हे.	आर.	सें.	
निम्बोदा	41		0	48	92
	44		0	23	52
	44/449		0	05	88

[सं. O-14016/560/84-जी. पी.]

S.O. 436.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Vijai Pur (M.P.) to Sawai Madhopur
State : Rajasthan District : Kota Tehsil : Atru

Village	Survey No.	Hec- tare	Are	Centiare
Nimboda	41	0	48	92
	44	0	23	52
	44/449	0	05	88

[No. O-14016/560/84—G.P.]

का. आ. 437 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में विजयपुर (म. प्र.) से सवाई माधोपुर तक पेट्रोलियम के परिवहन के लिए पाईप लाईन तेल एवं प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल एवं प्राकृतिक गैस आयोग, सी एण्ड एम प्रभाग एच. बी. जे गैस पाईप लाईन परियोजना, 49 इन्द्रा कालोनी मवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्ट-तया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

त्रिजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाईप लाईन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : छबड़ा

गांव	खसरा नं.	हे.	आर.	से.
1	2	3	4	5
रीछडा	6	0	01	04
	7	0	02	98
	8	0	64	00
	13	0	43	96
	161	0	34	30
	162	0	86	78
	14	0	56	42
	164	0	23	51
	159	0	04	46
	188	0	20	79
	190 / 333	0	07	43
	190	0	27	03
	191	0	24	65
	192	0	03	86
	241	0	43	31
	240	1	57	69
	278	0	33	73
	290	0	44	72
	988	0	77	22
	9	0	01	78
	277	0	08	04

1	2	3	4	5
	279	0	00	55
	246 / 331	0	00	04
	160 / 371	0	02	33
	287	0	00	89

[सं. O-14016 / 556 / 84-जी. पी.]

S.O. 437.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Bijaipur (M.P.) to Sawai Madhopur in Rajasthan State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, H. B. J. Gas Pipeline Project, 49, Indra Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Kota Tehsil : Chabra

Village	Survey No.	Hec-tare	Are	Centiare
Reenchda	6	0	01	04
	7	0	02	98
	8	0	64	00
	13	0	43	96
	161	0	34	30
	162	0	86	87
	14	0	56	42
	164	0	23	51
	159	0	04	46
	188	0	20	79
	190/333	0	07	43
	190	0	27	03
	191	0	24	65
	192	0	03	86
	241	0	43	31
	240	1	57	69
	278	0	33	73
	290	0	44	72
	288	0	77	22
	9	0	01	78
	277	0	08	04
	279	0	00	55
	246/331	0	00	04
	160/371	0	02	33
	287	0	00	89

[No. O-14016/556/84-G.P.]

का.आ. 438 यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3736 तारीख 30-10-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा ।

अनुसूची

विजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : बारों

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
नलका	386	0	04	20
	398	0	65	40
	400	0	28	10
	417	0	05	50
	418	0	06	30
	384	0	30	30
	383	0	06	10
	399	0	04	20

[सं० O-14016/228/84-जी पी]

S.O. 438.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S. O. 3736 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Vijay Pur (M.P.) to Sawai Madhopur (Raj)
State : RAJASTHAN District : KOTA Tehsil BARAN

Village	Survey No.	Hect re	Acres	Centiare
Nalaka	386		0	04 20
	398		0	65 40
	400		0	28 10
	417		0	05 50
	418		0	06 30
	384		0	30 30
	383		0	06 10
	399		0	04 20

[No. O-14016/228/84—G.P.]

का.आ. 439 यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3923 तारीख 12-11-84 द्वारा केन्द्रीय सरकार उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार की रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा ।

अनुसूची

विजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक
पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : बारा

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
बम्बूलिया जागीर	17	0	36	90
	18	0	30	60
	26	0	12	80
	28	0	16	50
	40	0	55	50
	43	0	24	60
	63	0	04	60
	68	0	46	40
	67	0	17	10
	69	0	10	00
	71	0	50	50
	72	0	37	50
	110	0	32	50
	111	0	41	70
	116	0	37	10
	118	0	06	30
	121	0	23	10
	122	0	41	70
	120	0	05	60
	125	0	28	60
	127	0	05	40
	130	0	21	30
	56	0	01	80
	88	0	02	90
	107	0	02	40
	128	0	02	90
	129	0	05	20

[सं. O-14016/261/84-जीपी]

S.O. 439.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S. O. 3923 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the said Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in

Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan—District Kota—Tehsil Baran

Village	Survey No.	Hec-tare	Aro	Cent-taire
Bamboolia Jagir	17	0	36	90
	18	0	30	60
	26	0	12	80
	28	0	16	50
	40	0	55	50
	43	0	24	60
	63	0	04	60
	68	0	46	40
	67	0	17	10
	69	0	10	00
	71	0	50	50
	72	0	37	50
	110	0	32	50
	111	0	41	70
	116	0	37	10
	118	0	06	30
	121	0	23	10
	122	0	41	70
	120	0	05	60
	125	0	28	60
	127	0	05	40
	130	0	21	30
	56	0	01	80
	38	0	02	90
	107	0	02	40
	128	0	02	90
	129	0	05	20

[No. O-14016/261/84—G.P.]

का.आ. 440 :—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का.आ. सं. 3924 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइन का बिछाने के प्रयोजन के लिए अर्जित करने का अपना आणव्य घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : बौरा

गांव	खसरा न.	हेक्टर	आर	सेन्टीआर
इक्लेरा	1411	0	33	50
	1422	0	46	10
	1314	0	29	50
	1243	0	27	60
	1245	0	20	00
	1247	0	04	00
	1254	0	13	10
	1253/1574	0	00	30
	1273	0	17	40
	1275	0	33	20
	1276	0	01	00
	1286	0	19	80
	1267	0	01	80
	1265	0	15	00
	1266	0	38	40
	1358	0	22	30
	1315	0	02	90
	1316	0	01	80
	1317	0	06	70
	1351	0	15	30
	1352	0	16	80
	1375	0	03	00
	1376	0	38	00
	1416	0	88	10
	1417	0	06	70
	1358/1591	0	26	60
	1419	0	05	70
	1336	0	02	40
	1373	0	32	50
	1412	0	69	70
	1413	0	00	20
	1420	0	00	10
	1248	0	00	40
	1411	0	08	70

[सं. O-14016/262/84-जी पी]

S.O. 440.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3924 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right

of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline:

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan—District : Kota—Tehsil Baran

Village	Survey No.	Hec-tare	Are	Centiare
Eklera	1421	0	33	50
	1422	0	46	10
	1314	0	29	50
	1243	0	27	60
	1245	0	20	00
	1247	0	04	00
	1254	0	13	10
	1253/1574	0	00	30
	1273	0	17	40
	1275	0	33	20
	1276	0	01	00
	1286	0	19	80
	1267	0	01	80
	1265	0	15	00
	1266	0	38	40
	1358	0	22	30
	1315	0	02	90
	1316	0	01	80
	1317	0	06	70
	1351	0	15	30
	1352	0	16	80
	1375	0	03	00
	1376	0	38	00
	1416	0	88	10
	1417	0	06	70
	1358/1591	0	26	60
	1419	0	05	70
	1336	0	02	40
	1373	0	32	50
	1312	0	69	70
	1413	0	00	20
	1420	0	00	10
	1248	0	00	40
	1411	0	08	70

[No. O-14016/262/84—G.P.]

का. आ. 441:- यतः, पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3739 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार की पाइप लाइनों को बिछाने के लिए प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यतः, संक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म.प्र.) से सबाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान		जिला : कोटा		तहसील : बाँरा	
गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर	
1	2	3	4	5	
बराना	34	0	03	60	
	35	0	43	20	
	151	0	01	80	
	152	0	82	40	
	145	0	00	30	
	165	0	05	30	
	166	0	33	90	
	171	0	13	90	
	156	0	00	30	
	181	0	09	60	
	185	0	14	40	

1	2	3	4	5
	216	0	35	70
	217	0	34	50
	229	0	36	30
	225	0	10	20
	224	0	30	90
	228	0	28	80
	172/860	0	19	70
	157	0	03	10
	158	0	34	90
	153	0	68	70
	176	1	04	50
	140	0	54	60
	141	0	45	30
	108	0	03	60
	172	0	05	80
	175	0	15	00
	179	0	09	60
	180	0	10	50
	36	0	00	30
	159	0	00	20
	186	0	09	30
	226	0	11	10

[सं. O-14016/234/84-जी.पी.]

S.O. 441.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3739 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission encumbrances.

SCHEDULE

Pipeline from Vijaipur (M.P.)—to Sawai Madhopur (Raj.)
State : Rajasthan—District : Kota—Tehsil— Baran

Village	Survey No.	Hec- tare	Arc	Cen- tiare
Barana	34	0	03	60
	35	0	43	20
	151	0	01	80
	152	0	82	40
	145	0	00	30
	165	0	05	30
	166	0	33	90
	171	0	13	90
	156	0	00	30
	181	0	09	60
	185	0	14	40
	216	0	35	70
	217	0	34	50
	229	0	36	30
	225	0	10	20
	224	0	30	90
	228	0	28	80
	172/860	0	19	70
	157	0	03	10
	158	0	34	90
	153	0	68	70
	176	0	04	50
	140	0	54	60
	141	0	45	30
	108	0	03	60
	172	0	05	80
	173	0	15	00
	179	0	09	60
	180	0	10	50
	36	0	00	30
	159	0	00	20
	186	0	09	30
	226	0	11	10

[No. O-14016/234/84—G.P.]

का.आ. 442 :—अतः, पेट्रोलियम और खनिज पाइप, लाइन ('भूमि में उपयोग के अधिकार का अर्जन') अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. 3892 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को विछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और, यतः, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और, आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति को प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में

निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप से घोषणा के प्रकाशन को इस तारोख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला बूँडी तहसील : केशोरान पाटन

सब तहसील : इन्दरगढ़

गाँव	खसरा नं.	हेक्टर	आर	सेन्टीयर
खरली खुर	4	0	44	10
	9	0	29	40
	10	0	03	30
	13	0	48	20
	14	0	03	70
	15	0	29	60
	29	0	03	40
	31	0	19	60
	32	0	34	20

[सं. O-14016/71/84/जी पी]

S.O. 442.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3892 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Bundi Tehsil : Keshoraipatan
Sub. Teh. : Indar Garh.

Village	Survey No.	Hec- tare	Are	Cen- tiare
Kherli Khurd	4	0	44	10
	9	0	29	40
	10	0	03	30
	13	0	48	20
	14	0	03	70
	15	0	29	60
	29	0	03	40
	31	0	19	60
	32	0	34	20

[No. O-14016/71/84—GP]

का.आ. 443.—यतः पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का.आ. सं. 3725 तारीख 30-10-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगी।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधीपुर (राज.) तक पाइप लाइन बिछाने के लिए

गाँव	खसरा नं.	हेक्टर	आर	सेन्टीयर
सुन्दलक	923	0	25	20
	917	0	26	10
	897	0	22	50
	896	0	13	90
	911	0	28	80
	913	0	08	00
	921	0	31	60
	922	0	36	00
	894	0	33	80
	899	0	03	60
	918	0	05	00
	910	0	04	50

[सं. O-14016/216/84-जी पी]

S.O. 443.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3725 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from VijaiPur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan	District : Kota	Tehsil : Baran
Village	Survey No.	Hec- Are Cen- tare tiare
Sundlak	923	0 25 20
	917	0 26 10
	897	0 22 50
	896	0 13 90
	911	0 28 80
	913	0 08 00
	921	0 31 60
	922	0 36 00
	894	0 33 80
	899	0 03 60
	918	0 05 00
	910	0 04 50

[N. O-14016 (216/84-GP)]

का.आ. सं. 444.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग का अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का.आ. सं. 3890 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइन को बिछाने के लिए प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 8 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा ।

अनुसूची

विजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक
पाइप लाइन बिछाने के लिए
राज्य : राजस्थान जिला : सवाई माधोपुर तहसील :
सवाई माधोपुर

श्रृंखला	खसरा नं	हेक्टर	आर	सेन्टिआर
1	2	3	4	5
बगवदा	87	0	31	35
	91	0	32	34
	97	0	02	16
	98	0	02	16
	99	0	06	72
	100	0	02	88
	101	0	19	92
	103	0	00	48
	104	0	05	32
	105	0	16	98
	106	0	04	16
	110/1	0	06	70
	110/2	0	11	20
	109	0	05	31
	118/2	0	02	04
	119	0	25	50
	120	0	15	60
	122	0	31	05
	125	0	01	20
	126	0	13	80
	126	0	51	76
	137	0	02	04
	147	0	04	80
	150	0	38	67
	148	0	02	40
	149	0	01	68

1	2	3	4	5	6
		151	0	00	96
		314	0	15	12
		301	0	02	80
		313	0	61	26
		311	0	15	30
		310	0	03	00
		309	0	22	20
		600	0	29	08
		601	0	03	00
		602	0	66	00
		287	0	12	60
		286/1	0	01	28
		286/2	0	01	28
		285	0	45	00
		284	0	32	70
		614	0	03	00
		111	0	07	25
		127	0	05	21
		93/2	0	10	20

[सं. O-14016/43/84-जी पी]

S.O. 444.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3890 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline:

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Sawai Madhopur

Tehsil : Sawai Madhopur

Village	Survey No.	Hec- tare	Are	Cent- tiare
Bagavda	87	0	31	35
	91	0	32	34
	97	0	02	16
	98	0	02	16
	99	0	06	72
	100	0	02	88
	101	0	19	92
	103	0	00	48
	104	0	05	32
	105	0	16	98
	106	0	04	16
	110/1	0	06	70
	110/2	0	11	20
	109	0	05	31
	118/2	0	02	04
	119	0	25	50
	120	0	15	60
	122	0	31	05
	125	0	01	20
	126	0	13	80
	136	0	51	76
	137	0	02	04
	147	0	04	80
	150	0	38	67
	148	0	02	40
	149	0	01	68
	151	0	00	96
	314	0	15	12
	301	0	02	80
	313	0	61	26
	311	0	15	30
	310	0	03	00
	309	0	22	20
	600	0	29	08
	601	0	03	00
	602	0	66	00
	287	0	12	60
	286/1	0	01	28
	286/2	0	01	20
	285	0	45	00
	284	0	32	70
	614	0	03	00
	111	0	07	25
	127	0	05	21
	93/2	0	10	20

[N. O-14016/43/84-GP]

का.आ. 445.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग को अधिसूचना का आ. सं. 3895 तारीख 12-11-54 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य। राजस्थान	जिला टोंक	तहसील उजियारा		
गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
1	2	3	4	5
पाइली	41	0	02	10
	42	0	24	30
	46/1	0	06	00
	47	0	22	80
	48	0	02	30
	51	0	46	20
	52	0	84	60
	54/1	0	18	40
	60	0	14	80
	59	0	05	00
	55	0	38	70
	57	0	21	00
	141/5	0	11	40
	141/1/2	0	17	50
	145/2	0	11	10
	147/6	0	14	10
	147/2	0	00	60
	147/1	0	02	60
	147/4	0	21	40
	185	0	21	50

1	2	3	4	5
	186	0	01	20
	184	0	07	20
	183	0	07	80
	181	0	15	60
	179	0	01	10
	180	0	12	40
	208	0	07	10
	178	0	03	20
	209	0	09	50
	172	0	10	00
	210	0	05	50
	514/2/1/1	0	17	30
	510/2/1/4	0	11	90
	558	0	02	40
	514/2/1/3	0	25	00
	574/9/2	0	08	10
	574/9/1	0	10	40
	574/5	0	19	50
	574/6	0	45	40
	574 7	0	02	80
	577	0	60	30
	580	0	11	30
	584	0	34	30
	581	0	13	20
	583	0	38	50
	582/3	0	21	60
	589	0	32	10
	675/1	0	36	50
	676	0	06	70
	673	0	01	80
	683	0	31	30
	682	0	09	20
	684	0	26	40
	685	0	46	90
	695	0	70	90
	698	0	03	80
	996	0	00	80
	693	0	03	30
	694	0	04	20
	713	0	19	80
	714	0	35	50
	720	0	18	10
	719	0	04	60
	721	0	13	20
	722	0	05	10
	723	0	21	30
	776	0	36	50

1	2	3	4	5
	775	0	03	10
	773	0	09	60
	777	0	37	90
	779/1	0	39	00
	780	0	13	20
	782	0	12	60
	146	0	01	20
	182	0	09	00
	56	0	00	20
	144	0	01	50
	154	0	00	10

[सं. O-14016/98/84-जीपी]

S.O. 445.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3895 dated 12-1-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj)
State : Rajasthan District : Tonk Tehsil : Unyara

Village	Survey No.	Hec- tare	Are Centiare	Centiare
tare				
tare				
Padli	41	0	02	10
	42	0	24	30
	46/1	0	06	00
	47	0	22	80
	48	0	02	30
	51	0	46	20
	52	0	84	60
	54/1	0	18	40
	60	0	14	80
	59	0	05	00
	55	0	38	70
	57	0	31	00
	141/5	0	11	40
	141/1/2	0	17	30

पादली

1	2	3	4	5
Padf (cont'd.)	145/2	0	11	10
	147/6	0	14	10
	147/2	0	00	60
	147/1	0	02	60
	147/4	0	21	40
	185	0	21	50
	186	0	01	20
	184	0	07	20
	183	0	07	80
	181	0	15	60
	179	0	01	10
	180	0	12	40
	208	0	07	10
	178	0	03	20
	209	0	09	50
	172	0	10	00
	210	0	05	50
	574/2/1/1	0	17	30
	514/2/1/4	0	11	90
	558	0	02	40
	524/2/1/3	0	25	00
	574/9/2	0	08	1 0
	574/9/1	0	10	40
	574/5	0	19	50
	574/6	0	45	40
	574/7	0	02	80
	577	0	66	30
	580	0	11	30
	584	0	34	30
	581	0	13	20
	583	0	38	50
	582/3	0	21	60
	589	0	32	10
	675/1	0	36	50
	676	0	06	70
	673	0	01	80
	683	0	31	30
	682	0	09	20
	684	0	26	40
	685	0	46	90
	695	0	70	00
	698	0	03	80
	696	0	00	80
	693	0	03	30
	694	0	04	20
	713	0	19	80
	714	0	35	50
	720	0	18	10
	719	0	04	60
	721	0	03	20
	722	0	05	10
	723	0	21	30
	776	0	36	50
	775	0	03	10
	773	0	09	60
	777	0	37	90
	779/1	0	39	00
	780	0	13	20
	782	0	12	60
	146	0	01	20
	182	0	09	00
	56	0	00	20
	144	0	01	50
	154	0	00	10

कां० 448.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय, पेट्रोलियम विभाग को अधिसूचना कां० सं० 3887 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रायोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था ।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ।

अथ, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रायोजन के लिए एतद्द्वारा अर्जित किया जाता है ।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा ।

अनुसूची

विजयपुर (म०प्र०) से सवाई माधोपुर (राज०) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : बूंदी तहसील : केशोरायपाटन :
सब-तहसील इन्द्रगढ़

गांव	खसरा नं०	हेक्टर	घर	सेन्टीभार
कोलाशपुरा	126	0	03	60
	127	0	27	30
	130	0	25	10
	131	0	07	20
	141	0	18	30
	145	0	03	50
	168	0	14	30
	169	0	37	00
	170	0	90	60
	142 204	0	06	00

S.O. 446.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3887 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawal Madhopur (Raj.)

State : Rajasthan District : Bundi Tehsil : Keshoraiptan
Sub Teh. : Indar Garh

Village	Survey No.	Hec- tare	Acre	Centi- are
Kolasha Pura	126	0	03	60
	127	0	27	30
	130	0	25	10
	131	0	07	20
	141	0	18	30
	145	0	03	50
	168	0	14	30
	169	0	37	00
	170	0	90	60
	142/204	0	06	00

[No. O-14016/28/84-GP

कांशां 447 यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के अर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना कांशां सं० 3922, तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था ।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा ।

अनुसूची

विजयपुर (म० प्र०) से सवाई माधोपुर (राज०) तक पाइप लाइन बिछाने के लिए

राज्य राजस्थान : जिला कोटा : तहसील बांरा :

गांव	खसरा नं०	हेक्टर	आर	सेन्टीआर
पुर्जन पुरा	190	0	00	30
	191	0	13	20
	236	0	01	30
	235	0	07	90
	240	0	57	00
	231	0	20	80
	267	0	30	70
	275	0	24	40
	276	0	15	60
	274	0	50	40
	277	0	31	50
	285	0	33	00
	342	0	09	70
	286	0	14	10
	294	0	02	80
	295	0	07	50
	338	0	07	50
	343	0	03	00
	340	0	17	20
	344	0	26	10
	359	0	09	00
	360	0	24	30
	355	0	09	90
	356	0	07	50
	238	0	03	00
	239	0	31	20
	268	0	00	40
	269	0	09	30
	278	0	00	20
	293	0	00	20

[सं० O-14016/280/84-जी पी]

S.O. 447.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3922 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawal Madhopur (Raj.)

State : Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec-tare	Are	Centiare
Durjanpura	190	0	00	30
	191	0	13	20
	236	0	01	30
	235	0	07	90
	240	0	57	00
	231	1	20	80
	267	0	30	70
	275	0	24	40
	276	0	15	60
	274	0	50	40
	277	0	31	50
	285	0	33	00
	342	0	09	70
	286	0	14	10
	294	0	02	80
	295	0	07	50
	338	0	07	50
	343	0	03	00
	340	0	17	20
	344	0	26	10
	359	0	09	00
	360	0	24	30
	353	0	09	90
	356	0	07	50
	238	0	03	00
	239	0	31	20
	268	0	00	40
	269	0	09	30
	278	0	00	20
	293	0	00	20

कांआ० 448 यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय, पेट्रोलियम विभाग को अधिसूचना कांआ० सं० 3738 तारीख 30-10-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार की पाइप लाइनों को बिछाने के लिए प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म० प्र०) से सवाई माधोपुर (राज०) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : बारा

गांव	खसरा नं०	हेक्टर	आर	सेन्टीआर
1	2	3	4	5
काजीखेड़ा	93	0	15	90
	92	0	22	20
	91	0	15	90
	90	0	39	90
	114	0	16	10
	124	0	01	60
	125	0	04	10
	126	0	06	30
	117/315	0	00	70
	133	0	10	80

1	2	3	4	5
	132	0	14	40
	133/325	0	03	90
	131	0	83	20
	139	0	47	10
	143	0	02	60
	142	0	02	60
	296	0	07	20
	298	0	06	80
	306	0	56	00
	305	0	40	90
	304	0	38	70
	309	0	04	80
	309/324	0	04	20
	70	0	06	60
	71	0	02	40
	72	0	09	60
	140	0	00	30
	266	0	01	80
	267	0	01	80
	268	0	03	30
	56	0	28	80
	57	0	23	90
	45	0	14	40
	98	0	02	40
	147	0	29	70
	127	0	06	30
	58	0	00	10
	111	0	04	50
	297	0	05	10

[सं० O-14016/230/84-जीपी]

S.O. 448.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3738 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bilalpur (M.P.) to Sawal Madhopur (Raj.)

State : Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec-tare	Are	Cent-tiare
Kajikhara	93	0	15	90
	92	0	22	20
	91	0	15	90
	90	0	39	90
	114	0	16	10
	124	0	01	60
	125	0	04	10
	126	0	06	30
	117/315	0	00	70
	133	0	10	80
	132	0	14	40
	133/325	0	03	90
	131	0	83	20
	139	0	47	10
	143	0	02	60
	142	0	02	60
	296	0	07	20
	298	0	06	80
	306	0	56	00
	305	0	40	90
	304	0	38	70
	309	0	04	80
	309/324	0	04	20
	70	0	06	60
	71	0	02	40
	72	0	09	60
	140	0	00	30
	266	0	01	80
	267	0	01	80
	268	0	03	30
	56	0	28	80
	57	0	23	90
	45	0	14	40
	98	0	02	40
	147	0	29	70
	127	0	06	30
	58	0	00	10
	111	0	04	50
	297	0	05	10

[No. O-14016/230/84-GP]

कां०आ० 449.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय, पेट्रोलियम विभाग को अधिसूचना का० आ० सं० 3724 तारीख 30-10-84 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था ।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म०प्र०) से सवाई माधोपुर (राज०) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : बारा

गांव	खसरा नं०	हेक्टर	भार	सेन्टीआर
कालाखेडा	139	0	00	40
	150	0	00	30
	147	0	02	40
	148	0	30	30
	149	0	01	20

[सं० 0-14016/215/84-जीपी]

S.O. 449.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3724 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

1418 GI/84—7

SCHEDULE

Pipeline from Vijai Pur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec-tare	Are	Centiare
Kalakhera	139	0	00	40
	150	0	00	30
	147	0	02	40
	148	0	30	30
	149	0	01	20

[No. O-14016/215/84-GP]

का०आ० 450.—अतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3737 तारीख 30-10-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे अतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म.प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन
बिछाने के लिए

राज्य : राजस्थान	जिला : कोटा	तहसील : बारा		
गांव	खसरा नं०	हेक्टर	आर	सेन्टीआर
आम्बापुर	321	0	07	50
	322	0	11	40
	323	0	00	10
	325	0	53	40
	311	0	02	40
	315	0	01	40
	439	0	12	90
	440	0	13	70
	436	0	02	20
	437	0	14	10
	445	0	16	50
	447	0	05	50
	450	0	06	90
	449	0	36	80
	479	0	07	50
	484	0	15	60
	305	0	23	90
	309	0	51	60
	444	0	11	40
	435	0	00	10
	476	0	23	60
	486	0	04	40
	478	0	16	10
	205	0	04	50
	201	0	00	20
	203	0	00	70
	204	0	66	80
	350	0	11	40
	284	0	06	60
	477	0	03	00

[सं० O-14016/229/84-जीपी]

S.O. 450.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3737 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said

lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Vijai Pur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec- tare	Arc	Cent- tiare
Ambapura	321	0	07	50
	322	0	11	40
	323	0	00	10
	325	0	53	40
	311	0	02	40
	315	0	01	40
	439	0	12	90
	440	0	13	70
	436	0	02	20
	437	0	14	10
	445	0	16	50
	447	0	05	50
	450	0	06	90
	449	0	36	80
	479	0	07	50
	484	0	15	60
	305	0	23	90
	309	0	51	60
	444	0	11	40
	435	0	00	10
	475	0	23	60
	486	0	04	40
	478	0	16	10
	205	0	04	50
	201	0	00	20
	203	0	00	70
	204	0	66	80
	350	0	11	40
	284	0	06	60
	477	0	03	00

[NO. O-14016/229/84-GP]

का. आ. 451.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) (अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का० आ० सं० 3735 तारीख 30-10-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार की पाइपलाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् 84 अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करके हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजय पुर (म. प्र.) से सवाई माधोपुर (राज.)
तक पाईप लाइन बिछाने के लिए
राज्य : राजस्थान जिला कोटा : तहसील : धौरा

गांव	खसरा नं.	हेक्टर	आर	सेन्टी- आर
1	2	3	4	5
चैनपुरा	5	0	75	00
	7	0	08	00
	8	0	11	90
	401/1136	0	10	00
	34	0	01	90
	30	0	45	00
	44	0	00	80
	1	0	04	70
	39	0	14	00
	40	0	06	70
	42	0	37	60
	119	0	06	00
	120	0	33	90
	121	0	40	40
	122	0	00	60
	124	0	01	00
	126	0	03	60
	129	0	12	90
	130	0	16	80
	131	0	18	30
	132	0	25	20
	133	0	49	20
	346	0	03	90
	359	0	36	00
	361	0	09	70
	34/1131	0	48	50
	360	0	40	80

1	2	3	4	5
	35	0	01	80
	41	0	01	10
	147	0	02	40
	362	0	01	60
	363	0	02	40
	401	0	00	60

[सं. O-14016/227/84-जीपी]

S.O. 451.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3735 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying the pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Vijai Pur (M.P.) to Sawai Madhopur (Rajasthan)

State : Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hect- tare	Are	Centi- are
Chain Pura	5	0	75	00
	7	0	08	00
	8	0	11	90
	401/1136	0	10	00
	34	0	01	90
	30	0	45	00
	44	0	00	80
	1	0	04	70
	39	0	14	00
	40	0	06	70
	42	0	37	60
	119	0	06	00
	120	0	33	90
	121	0	40	40
	122	0	00	60
	124	0	01	00
	126	0	03	60
	129	0	12	90
	130	0	16	80
	131	0	18	30

1	2	3	4	5
	132	0	25	20
	133	0	49	20
	346	0	03	90
	359	0	36	00
	361	0	09	70
	34/1131	0	48	50
	360	0	40	80
	35	0	01	80
	41	0	01	10
	147	0	02	40
	362	0	01	60
	363	0	02	40
	401	0	00	60

[No. O-14016/227/84-GP]

का. आ. सं. 462.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का० आ० सं० 3883 तारीख 12-11-1984 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य राजस्थान जिला बूंदी, तहसील कैशोराय पाटन सब-तहसील—इन्द्रगढ़

गांव	खसारा नं.	हेक्टर	आर	सेन्टी-आर
कैशोपुरा	73	0	11	90
	74	0	02	00
	76	0	04	80
	77	0	22	40
	78	0	07	20
	79	0	00	80
	80	0	24	90
	80/136	0	04	50
	81	0	06	10
	81/137	0	04	20
	83	0	11	80
	84	0	01	20
	85/117	0	29	40
	85/118	0	31	00
	17	0	02	00
	85/144	0	29	40
	85/148	0	06	30

[सं० ओ-14016/24/84-जी पी]

S.O. 452.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3883 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline,

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquire for laying the pipeline,

And further in exercise of power conferred by sub-section, (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Rajasthan)
State : Rajasthan District : Bundi Tehsil : Keshoripatan
Sub Teh. Indra Garh.

Village	Survey No.	Hec- tare	Are	Cent- are
Keshopura	73	0	11	90
	74	0	02	00
	76	0	04	80
	77	0	22	40
	78	0	07	20
	79	0	00	80
	80	0	24	90
	80/136	0	04	50
	81	0	06	10
	81/137	0	04	20
	83	0	11	80
	84	0	01	20
	85/117	0	29	40
	85/118	0	31	00
	17	0	02	00
	85/144	0	29	40
	85/148	0	06	30

[No.O-14016/24/84-GP]

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज०) तक पाइप
लाइन बिछाने के लिए

राज्य राजस्थान जिला कोटा तहसील बारा

गांव	खसरा नं.	हेक्टर	आर	सेन्टी- आर
1	2	3	4	5
मेलखेडी	212	0	30	00
	213	0	05	40
	220	0	43	50
	287	0	02	10
	211	0	31	20
	221	0	25	50
	223	0	57	90
	224	0	00	40
	244	0	46	20
	404	0	38	40
	407	0	27	30
	355	0	10	80
	245	0	31	90
	246	0	13	80
	247	0	03	20
	291	0	34	50
	288	0	30	60
	292	0	27	00
	294	0	26	40
	304	0	29	10
	305	0	15	90
	311	0	00	10
	338	0	12	60
	306	0	18	30
	308	0	42	70
	309	0	05	80
	310	0	23	90
	312	0	24	00
	339	0	17	10
	340	0	18	90
	344	0	32	10
	350	0	01	60
	351	0	32	80
	352	0	00	40
	913	0	25	10
	1305	0	00	50
	1126	0	20	10
	1129	0	00	20
	1132	0	00	20
	1134	0	19	50

का. आ. 453.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का.आ. सं. 3729 तारीख 30-10-1984 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

1	2	3	4	5
मेलखेडी	1135	0	25	70
	1215	0	15	90
	1138	0	10	20
	1140	0	03	10
	1213	0	00	90
	1214	0	10	40
	1216	0	30	90
	1307	0	05	80
	1308	0	38	10
	1309	0	20	40
	219	0	05	70
	1133	0	08	30
	1310	0	68	50
	1334	0	21	30
	1311	0	55	10
	1328	0	09	60
	1329	0	09	30
	1327	0	26	10
	1355	0	06	90
	1130	0	49	90
	1187	0	19	50
	1124	0	07	30
	284	0	03	00
	328	0	07	20
	403	0	06	30
	1127	0	04	80
	1285	0	09	60

[सं० O-14016/221/84-जीपी]

S.O. 453.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3729 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquire for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE				
Pipeline from Vijai Pur (M.P.) to Sawai Madhopur (Rajasthan)				
State : Rajasthan		District : Kota		Tehsil : Beran
Village	Survey No.	Hec-tare	Are	Cent-tiare
1	2	3	4	5
Melkhedi	212	0	30	00
	213	0	05	40
	220	0	43	50
	287	0	02	10
	211	0	31	20
	221	0	25	50
	223	0	57	90
	224	0	00	40
	244	0	46	20
	404	0	38	40
	407	0	27	30
	355	0	10	80
	245	0	31	90
	246	0	13	80
	247	0	03	20
	291	0	34	50
	288	0	30	60
	292	0	27	00
	294	0	26	40
	304	0	29	10
	305	0	15	90
	311	0	00	10
	338	0	12	60
	306	0	18	30
	308	0	42	70
	309	0	05	80
	310	0	23	90
	312	0	24	00
	339	0	17	10
	340	0	18	90
	344	0	32	10
	350	0	01	60
	351	0	32	80
	352	0	00	40
	913	0	25	10
	1305	0	00	50
	1126	0	20	10
	1129	0	00	20
	1132	0	00	20
	1134	0	19	50
	1135	0	25	70
	1215	0	15	90
	1138	0	10	20
	1140	0	03	10
	1213	0	00	90
	1214	0	10	40
	1216	0	30	90
	1307	0	05	80
	1308	0	38	10
	1309	0	20	40
	219	0	05	70
	1133	0	08	30
	1310	0	68	50
	1334	0	21	30
	1311	0	55	01
	1328	0	09	60
	1329	0	09	30
	1327	0	26	10
	1355	0	06	90

1	2	3	4	5
	1130	0	49	90
	1187	0	19	50
	1124	0	07	30
	284	0	03	00
	328	0	07	20
	403	0	06	30
	1127	0	04	80
	1285	0	09	60

[No. O-14016/221/84-GP]

का० आ० 454—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का० आ० सं० 3879 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म० प्र०) से सवाई माधोपुर (राज०) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : टोंक तहसील : उनीयारा

गाँव	खसरा नं०	हेक्टर आर	सेन्टोआर
सेन्दरी मालियान			
74/136	0	06	80
103	0	11	10

[सं० O-14016/17/84-जी०पी०]

S.O. 454.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3879 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur
State : Rajasthan District : Tonk Tehsil : Uniyara

Village	Survey No.	Hec- tare	Are	Centi- tiare
Sandrimaliyan	74/136	0	06	80
	103	0	11	10

[No. O-14016/17/84-GP]

का० आ० 455.—यतः पेट्रोलियम और खनिज-पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मन्त्रालय, पेट्रोलियम विभाग, की अधिसूचना का० आ० सं० 3894 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म०प्र०) से सवाई माधोपुर (राज०) तक पाईप लाइन बिछाने के लिए राज्य राजस्थान जिला बूढा तहसील कैशोराय पाटन सब-तहसील इन्द्रगढ़

गांव	खसरा नं०	हेक्टर	आर	सेन्टीआर
बाबई	673/690	0	16	20
	684	0	93	54

[सं० 0-14016/75/84-जीपी]

S.O. 455.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3894 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijapur (M.P.) to Sawai Madhopur (Rajasthan)
State : Rajasthan District : Bundi Tehsil Keshoraipatan
Sub Teh. Indar Garh

Village	Survey No.	Hec- tare	Are	Centi- are
Babai	673/690	0	16	20
	684	0	93	54

[No. 0-14016/75/84-GP]

का० आ० 456.—यत्. पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन भारत सरकार के उर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का० आ० सं० 3921

तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों का बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यत्: सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यत्: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म०प्र०) से सवाई माधोपुर (राज०) तक पाईपलाइन बिछाने के लिए

राज्य राजस्थान	जिला कोटा	तहसील बौरा	गांव	खसरा नं०	हेक्टर	आर	सेन्टीआर
			मंडोला	178	0	27	00
				191	0	51	00
				179	0	30	50
				189	0	27	80
				193	0	05	80
				192	0	28	70
				204	0	14	40
				226	0	13	50
				227	0	11	30
				225	0	00	40
				228	0	14	90
				229	0	02	50
				238	0	00	90
				239	0	07	20
				383	0	00	40

1	2	3	4	5
मंडोला--(जारी)	389	0	40	80
1030	0	10	20	
1029	0	05	70	
1035	0	05	20	
1034	0	13	80	
1037	0	10	80	
1038	0	00	60	
1039	0	05	70	
1041	0	02	90	
1042	0	10	20	
1045	0	36	90	
1516	0	16	30	
1517	0	04	50	
1520	0	00	20	
1628	0	09	80	
1630	0	06	50	
1631	0	01	40	
1632	0	04	00	
1636	0	13	60	
1637	0	13	50	
1640	0	20	40	
1641	0	18	60	
1644	0	29	70	
1643	0	32	50	
2464	0	01	30	
2472	0	10	90	
2473	0	13	90	
2474	0	26	50	
2471	0	09	70	
2475	0	16	30	
2476	0	00	70	
1196	0	01	30	
8	0	00	30	
180	0	05	30	
223	0	06	00	
380	0	01	40	
387	0	05	60	
382	0	19	20	
381	0	01	40	
1022	0	01	80	
379	0	00	90	
378	0	00	20	
1020	0	01	10	
1619	0	01	90	
1082	0	05	80	
1081	0	06	80	

1	2	3	4	5
मंडोला--(जारी)	1050	0	04	20
	1051	0	00	90
	1515	0	10	20
	1656	0	09	80
	1655	0	02	70
	1654	0	03	90
	1657	0	03	10
	388	0	01	80
	1627	0	06	90
	181	0	01	00
	2477	0	00	10
	1625	0	00	10
	1629	0	00	10
	9	0	00	20

[सं० O-14016/259/84-जी०पी०]

S.O. 456.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3921 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Vijai Pur (M.P.) to Sawai Madhopur (Rajasthan)

State Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec-tare	Are	Cent-tiare
1	2	3	4	5
Mandola	178	0	27	00
	191	0	51	00
	179	0	30	50
	189	0	27	80
	193	0	05	80
	192	0	28	70
	204	0	14	40
	226	0	13	50

1	2	3	4	5
Mondola (Contd.)	227	0	11	30
	225	0	00	40
	228	0	14	90
	229	0	02	50
	238	0	00	90
	239	0	07	20
	383	0	00	40
	389	0	40	80
	1030	0	10	20
	1029	0	05	70
	1035	0	05	20
	1034	0	13	80
	1037	0	10	80
	1038	0	00	60
	1039	0	05	70
	1041	0	02	90
	1042	0	10	20
	1045	0	36	90
	1516	0	16	30
	1517	0	04	50
	1520	0	00	20
	1628	0	09	80
	1630	0	06	50
	1631	0	01	40
	1632	0	04	00
	1636	0	13	60
	1637	0	13	50
	1640	0	20	40
	1641	0	18	60
	1644	0	29	70
	1643	0	32	50
	2464	0	01	30
	2472	0	10	90
	2473	0	13	90
	2474	0	26	50
	2471	0	09	70
	2475	0	16	30
	2476	0	00	70
	1196	0	01	30
	8	0	00	30
	180	0	05	30
	223	0	06	00
	380	0	01	40
	387	0	05	60
	382	0	19	20
	381	0	01	40
	1022	0	01	80
	379	0	00	90
	378	0	00	20
	1020	0	01	10
	1619	0	01	90
	1082	0	05	80
	1081	0	06	80
	1050	0	04	20
	1051	0	00	90
	1515	0	10	20
	1656	0	09	80
	1655	0	02	70
	1654	0	03	90
	1657	0	03	10
	388	0	01	80
	1627	0	06	90
	181	0	01	00
	2477	0	00	10
	1625	0	00	10
	1629	0	00	10
	9	0	00	20

का० आ० 457.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का.आ० सं० 3723 तारीख 30-10-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में बोधना के प्रकाशन की इस तारीख से निहित होगी।

अनुसूची

विजयपुर (म०प्र०) से सवाई माधोपुर (राज०) तक पाइप लाइन बिछाने के लिए

राज्य—राजस्थान	जिला—कोटा	तहसील—बौरा		
गांव	खसरा नं०	हेक्टर	आर	सेंटीआर
तलावडा	161	0	08	60
	163	0	01	60
	164	0	27	90
	158	0	30	00
	157/406	0	03	30
	150	0	33	90
	154	0	03	30
	170	0	20	40
	157	0	50	10
	171	0	00	10

S.O. 457.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3723 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Vijai Pur (M.P.) to Sawai Madhopur (Raj)
State : Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec-tare	Are	Centiare
Talawda	161	0	08	60
	163	0	01	60
	164	0	27	90
	158	0	30	00
	157/406	0	03	30
	150	0	33	90
	154	0	03	30
	170	0	20	40
	157	0	50	10
	171	0	00	10

[No. O-14016/214/84-GP]

का० भा० 458.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मन्त्रालय, पेट्रोलियम विभाग को अधिसूचना का० भा० 3885 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म०प्र०) से सवाई माधोपुर (राज०) तक
पाइप लाईन बिछाने के लिए

राज्य : राजस्थान जिला : बूंदी तहसील : केशोराय पाटन

सब-तहसील-इन्दरगढ़

गांव	खसरा नं०	हेक्टर	आर	सेन्टीमार
मुरजादपुरा	38	0	11	00
	45	0	48	50
	54	0	68	50
	46	0	02	40

[सं० O-14016/26/84-जी०पी०]

S.O. 458.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3885 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan District : Bundi Tehsil : Keshorai Patan
Sub Teh.: Indar Garh

Village	Survey No.	Hec-tare	Are	Centiare
Murzapura	38	0	11	00
	45	0	48	50
	54	0	68	50
	46	0	02	40

[No. O-14016/26/84-GP]

का० आ० सं० 459.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का० आ० सं० 3880 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

बिजयपुर (म०प्र०) से सवाई माधोपुर (राज०) तक पाइप लाइन बिछाने के लिए राज्य राजस्थान जिला टोंक तहसील उनियारा

गांव	खसरा नं०	हेक्टर	आर सेन्टीआर
मजीरपुरा	83	0	00 50
	82/1	0	33 80
	82/4	0	51 90
	82/1/2	0	42 30
	81/10	0	18 23
	81/11	0	24 60
	81/16	0	17 80
	81/12	0	03 20
	81/21	0	31 40
	81/1/1	0	12 90
	81/9	0	20 70
	81/19	0	18 10
	81/18	0	10 70

1	2	3	4	5
	81/20	0	02	10
	81/1/3	0	03	90

[सं० O-14016/18/84-जी०पी०]

S.O. 459.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3880 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan, District : Tonk, Tehsil Uniyara

Village	Survey No.	Hec-tare	Are	Centiare
Najir Pura	83	0	00	50
	82/1	0	33	80
	82/4	0	51	90
	82/1/2	0	42	30
	81/10	0	18	23
	81/11	0	24	60
	81/16	0	17	80
	81/12	0	03	20
	81/21	0	31	40
	81/1/1	0	12	90
	81/9	0	20	70
	81/19	0	18	10
	81/18	0	10	70
	81/20	0	02	10
	81/1/3	0	03	90

[No. O-14016/18/84-GP]

का० आ० 460.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मन्त्रालय पेट्रोलियम विभाग की अधिसूचना का० आ० सं० 3881 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधि-

कार की पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिसूचना की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म०प्र०) से सवाई माधोपुर (राज०) तक पाइप लाइन बिछाने के लिए राज्य राजस्थान, जिला टोंक, तहसील उनियार

गांव	खसरा नं०	हेक्टर	आर	सेन्टीआर
चक करवाडिया	52	0	00	60
	53	0	00	50
	54	0	12	50
	55	0	02	10
	56	0	01	50
	57	0	48	60
	59/2	0	36	60
	59/5	0	17	70
	59/1/3	0	36	80
	59/1/1	0	02	80
	63/2	0	01	60
	63	0	56	20
	63/4	0	10	30
	63/5	0	06	40
	62	0	06	70

[सं० O-14016/19/84-जी०पी०]

And whereas the Competent Authority has under Sub-Section (1) of Section 5 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan, District Tonk, Tehsil Uniyara

Village	Survey No.	Hec- tare	Are	Centiare
Chak-Karwadiya	52	0	00	60
	53	0	00	50
	54	0	12	50
	55	0	02	10
	56	0	01	50
	57	0	48	60
	59/2	0	36	60
	59/5	0	17	70
	59/1/3	0	36	80
	59/1/1	0	02	80
	63/2	0	01	60
	63	0	56	20
	63/4	0	10	30
	63/5	0	06	40
	62	0	06	70

[No. O-14016/19/84-GP]

का० आ० 461.- यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का०आ० सं० 3893 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

S.O. 460.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3881 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

बिजयपुर (मं.प्र.) से मवाई माधोपुर (राज.) तक पाइप लाईन बिछाने के लिए राज्य राजस्थान, जिला बुंदी, तहसील केशोराय पाटन, सब-तहसील-इन्द्रगढ़

गांव	खसरा नं०	हेक्टर	आर	सेन्टीआर
शेरगंज	60	0	02	80
	108	0	02	40
	109	0	41	70
	110	0	16	20
	112	0	08	40
	113	0	02	40
	114	0	11	40

[सं. O-14016/74/4-जी०पी०]

S.O. 461.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S. O. 3893 dated 12.11.84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrance.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State Rajasthan, District: Bundi, Tehsil Keshorai Patan, Sub
Tehsil : Indar Garh

Village	Survey No.	Hec- tare	Are	Cent- tiare
Sherganj	60	0	02	80
	108	0	02	40
	109	0	41	70
	110	0	16	20
	112	0	08	40
	113	0	02	40
	114	0	11	40

[No. O-14016/74/84-GP]

का० आ० 462.—यत पेट्रोलियम और खनिज पाइप-लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का० आ० सं० 3884 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

अर आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार पाइप-लाईन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

SCHEDULE

विजयपुर (म०प्र०) से सवाई माधोपुर (राज०) तक पाइप लाइन बिछाने के लिए राज्य राजस्थान, जिला बुंदी, तहसील केशोराय पटान, सब-तहसील-इन्द्रगढ़

Pipeline from Bijapur (M.P.) to Sawai Madhopur (Raj.)

State: Rajasthan, District: Bundi, Tehsil Keshorai Patan, Sub-Teh. Indar Garh

गांव	खसरा नं०	हेक्टर	घार	सेन्टीघार
टोकसपुरा	3	0	05	40
	2	0	44	70
	8	0	23	40
	9	0	23	40
	12	0	36	00
	11	0	46	20
	22	0	26	70
	26	0	25	50
	27	0	16	70
	21	0	90	50
	28	0	10	50
	31	0	13	80
	32	0	14	80
	32/11	0	22	30
	35	0	20	70
	32/7	0	24	40

[सं० O-14016/25/84-जी०पी०]

S.O. 462.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3884 dated 12-11-1984 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention of acquire the right of user in the lands specified in the schedule appended to this notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

Village	Survey No.	Hec-tare	Are	Centiare
Tokas Pura	3	0	05	40
	2	0	44	70
	8	0	23	40
	9	0	23	40
	12	0	36	00
	11	0	46	20
	22	0	26	70
	26	0	25	50
	27	0	16	70
	21	0	90	50
	28	0	10	50
	31	0	13	80
	32	0	14	80
	32/11	0	22	30
	35	0	20	70
	32/7	0	24	40

[No. O-14016/25/84-GP]

का. आ. 463.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन सरकार के उर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3886 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में

सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए राज्य : राजस्थान जिला : बूंदी तहसील : केशोराय पाटन सब तहसील : इन्द्रगढ़

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
नवलपुरा	335	0	46	20
	338	0	61	50
	342/397	0	36	00
	335/414	0	30	90

[सं. O-14016/27/84-जी. पी.]

S.O. 463.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S. O. 3886 dated 12.11.84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances;

SCHEDULE

Pipeline from Vijaipur (M.P.) to Sawai Madhopur (Raj.)

State: Rajasthan District: Bundi Tehsil: Keshoral Patan Sub Teh. : Indar Garh

Village	Survey No.	Hec-tare	Are	Centiare
Nawal Pura	335	0	46	20
	338	0	61	50
	342/397	0	36	00
	335/414	0	30	90

[No. O-14016/27/84-GP]

का. आ. 464—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3726 तारीख 30-10-84 द्वारा

केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए राज्य : राजस्थान जिला : कोटा तहसील : बारा

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
मंडोली	293	0	14	70
	308	0	27	30
	309	0	59	70
	325/385	0	03	00
	303	0	01	50
	313	0	01	50
	325	0	39	70
	302	0	30	70
	252	0	20	10
	254	0	06	30
	260	0	38	10
	251	0	07	30
	258	0	15	60
	326	0	05	20
	348	0	44	90
	351	0	15	90
	352	0	08	40
	353	0	21	80
	354	0	01	00
	259	0	02	70

1	2	3	4	5
मंडोली	289	0	11	40
	263	0	02	40
	225	0	04	50
	366	0	03	90
	349/411	0	08	10

[सं. O-14016/217/84-जी. पी.]

S.O. 464.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3886 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section section (1) of Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Vijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec-tare	Are	Cent-tiare.
Mandoli	293	0	14	70
	308	0	27	30
	309	0	59	70
	325/385	0	03	00
	303	0	01	50
	313	0	01	50
	325	0	39	70
	302	0	30	70
	252	0	20	10
	254	0	06	30
	260	0	38	10
	251	0	07	30
	258	0	15	60
	326	0	05	20
	348	0	44	90
	351	0	15	90
	352	0	08	40
	353	0	21	80
	354	0	01	00
	259	0	02	70
	280	0	11	40
	263	0	02	40
	225	0	04	50
	366	0	03	90
	349/411	0	08	10

[No. O-14016/217/84-GP]

का. आ. 465.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3920 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं में मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए राज्य : राजस्थान जिला : कोटा तहसील : बारां

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
1	2	3	4	5
बोरडी	377	0	63	00
	375	0	24	60
	379	0	06	90
	385	0	06	00
	417	0	28	60
	384	0	12	30
	381	0	12	50
	419	0	11	40
	420	0	01	30
	422	0	03	90
	418	0	38	70
	409	0	07	20

1	2	3	4	5
बोरडी	410	0	15	60
	447	0	07	60
	449	0	08	70
	373	0	00	40
	450	0	20	40
	451	0	05	40
	446	0	01	60
	407/615	0	01	80
	407	0	01	20
	408	0	12	00
	444	0	02	70
	339	0	02	40
	380	0	01	80
	423	0	00	40
	359	0	00	30

[सं. O-14016/258/84-जी पी]

S.O. 465.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S. O. 3920 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan District : Kota Tehsil Baran

Village	Survey No.	Hec- tare	Are	Centi- tiare
1	2	3	4	5
Bordi	377	0	63	00
	375	0	24	60
	379	0	06	90
	385	0	06	00
	417	0	28	60
	384	0	12	30
	381	0	12	50
	419	0	11	40
	420	0	01	30
	422	0	03	90

1	2	3	4	5
Bordi	418	0	38	70
	409	0	07	20
	410	0	15	60
	447	0	07	60
	449	0	08	70
	373	0	00	40
	450	0	20	40
	451	0	05	40
	446	0	01	60
	407/615	0	01	80
	407	0	01	20
	408	0	12	00
	444	0	02	70
	339	0	02	40
	380	0	01	80
	423	0	00	40
	359	0	00	30

[No. O-14016/258/84-GP.]

का. आ. 466-यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का० आ० सं. 3734 तारीख 30-10-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर विधा था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी वाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक
पाइप लाइन बिछाने के लिए राज्य राजस्थान जिला कोटा
तहसील बारा

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
1	2	3	4	5
बडा	2	0	24	60
	9	0	29	10
	10	0	29	40
	11	0	26	20
	12	0	00	20
	18	0	07	00
	19	0	66	60
	25	0	36	90
	99	0	03	00
	100	0	31	20
	101	0	49	90
	102	0	03	80
	103	0	41	70
	105	0	21	60
	128	0	09	00
	185	0	04	60
	130	0	00	80
	136	0	52	50
	137	0	08	40
	187	0	37	20
	6887	0	48	80
	189	0	20	10
	1845	0	20	10
	1852	0	12	10
	1851	0	01	70
	1870	0	06	00
	1871	0	66	60
	1889	0	70	20
	1890	0	06	40
	1907	0	60	80
	1908	0	00	70
	1916	0	23	10
	1918	0	35	10
	1919	0	45	00
	1946	0	45	00
	1947	0	29	40
	1954	0	78	40
	29	0	03	60
	1872	0	09	00
	1945/2276	0	00	40
	129	0	02	70
	184	0	19	90
	186	0	06	50

1	2	3	4	5
बडा	188	0	04	50
	1858	0	11	10
	1850	0	03	90
	1875	0	03	00
	1911	0	02	10
	1935	0	03	90
	135	0	00	10
	104	0	00	20
	1941	0	00	10

[सं० O-14016/226/84-जी. पी.]

S.O. 466.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 3734 dated 30th November, 1984 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by Sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec-tare	Are	Centiare
1	2	3	4	5
Bada	2	0	24	60
	9	0	29	10
	10	0	29	40
	11	0	26	20
	12	0	00	20
	18	0	07	00
	19	0	66	60
	25	0	36	90
	99	0	03	00
	100	0	31	20
	101	0	49	90
	102	0	03	80
	103	0	41	70
	105	0	21	60
	128	0	09	00

1	2	3	4	5
Bada (Contd.)	185	0	04	60
	130	0	00	80
	136	0	52	50
	137	0	08	40
	187	0	37	20
	1887	0	48	80
	189	0	20	10
	1845	0	20	10
	1852	0	12	10
	1851	0	01	70
	1870	0	06	00
	1871	0	66	60
	1889	0	70	20
	1890	0	06	40
	1907	0	60	80
	1908	0	00	70
	1916	0	23	10
	1918	0	35	10
	1919	0	45	00
	1946	0	45	00
	1947	0	29	40
	1945	0	78	40
	29	0	03	60
	1872	0	09	00
	1945/2276	0	00	40
	129	0	02	70
	184	0	19	90
	186	0	06	50
	188	0	04	50
	1858	0	11	10
	1850	0	03	90
	1875	0	03	00
	1911	0	02	10
	1935	0	03	90
	135	0	00	10
	104	0	00	20
	1941	0	00	10

[No. O-14016/226/84-GP]

का. आ. 467.—यतः पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3888 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप-लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपनः आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार

एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइपलाइन बिछाने के लिए राज्य राजस्थान, जिला बूंदी, तहसील कैथोरायपाटन, सब तहसील इन्ड्रगढ़।

गांव	खसरा नं.	हैक्टर	आर	सेन्टीआर
लक्ष्मीपुरा	72	0	01	90
	88	0	09	60
	94	0	03	00
	95	0	19	00
	95/112	0	07	20
	96	0	05	20
	97	0	21	20
	101	0	33	90
	102	0	23	00

[सं. O-14016/29/84-जी.पी.]

S.O. 467.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. No. 3888 dated 12-11-1984 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan, District : Bundi, Tehsil, Keshoraipatan :
Sub Teh. : Indar Garh

Village	Survey No.	Hec- tare	Acre	Centi- tiare
Lakshmi Pura	72	0	01	90
	87	0	09	60
	94	0	03	00
	95	0	19	00
	95/112	0	07	20
	96	0	05	20
	97	0	21	20
	101	0	33	90
	102	0	23	00

[No. O-14016/29/84-GP]

का.आ. 468—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3891 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइपलाइन बिछाने के लिए राज्य राजस्थान (जिला बूंदी तहसील केशोरायपाटन सब तहसील इन्द्रगढ़।

गांव	खसरा नं.	हेक्टर	आर सेन्टीआर
बलवन	411	0	22 80
	503/411	1	01 40
	507/415	0	80 70
	417	0	26 00

[सं. O-14016/69/84-जी. पी.]

S.O. 468 -Whereby notification of the Government of India in the Ministry of Energy, Department of Petroleum S. O. 3891 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan, District : Bundi, Tehsil : Keshoraipatan
Sub Teh: Indar Garh.

Village	Survey No.	Hec- tare	Acre	Centi- tiare
Balwan	411	0	22	80
	503/411	1	01	40
	507/415	0	80	70
	417	0	26	00

[No. O-14016/69/84-GP]

का.आ. 469.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3889 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची

बिजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइपलाइन बिछाने के लिए राज्य राजस्थान, जिला सवाई माधोपुर, तहसील सवाई माधोपुर

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
1	2	3	4	5
खिजुरी	89/1	0	50	00
	88	0	52	80
	87	0	63	80
	86	0	19	80
	85	0	26	00
	84	0	77	40
	67	0	19	70
	73	0	17	20
	72	0	07	50
	74	0	00	90
	71	0	05	50
	77	0	00	60
	78	0	04	60
	203	0	10	60
	204	0	05	70
	205	0	01	00
	202	0	08	60
	207	0	16	20
	201/1	0	01	60
	208	0	12	30

1	2	3	4	5
खिजुरी (जारी)---	209	0	09	30
	218/2	0	06	70
	215	0	12	90
	216	0	12	00
	217	0	20	70
	212	0	03	70
	291/1	0	01	60
	292	0	05	60
	295	0	08	40
	296	0	06	90
	300	0	03	60
	299	0	06	20
	290/2	0	01	00
	301/1	0	16	70
	301/4	0	01	40
	301/2	0	05	90
	301/3	0	17	80
	301/6	0	00	50
	306	0	07	50
	311	0	03	30
	307	0	17	50
	310	0	00	20
	308	0	09	30
	321	0	02	20
	323	0	04	00
	322	0	07	30
	331	0	01	70
	320	0	03	00
	334	0	20	20
	332	0	02	20
	333	0	06	70
	335	0	01	60
	336/1	0	06	20
	336/2	0	06	70
	341/2	0	19	90
	342	0	11	70
	343	0	01	00
	344	0	01	90
	351	0	02	80
	350	0	04	80
	349	0	03	80
	574	0	05	40
	573	0	01	80
	572/1	0	13	00
	570	0	08	90
	569	0	06	90
	568	0	03	40

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)
State : Rajasthan, District : Sawai Madhopur, Tehsil : Sawai Madhopur.

Village	Survey No.	Hec-tare	Are	Centiare
1	2	3	4	5
Khajuri	89/1	0	50	00
	88	0	52	80
	87	0	63	80
	86	0	19	80
	85	0	26	00
	84	0	77	40
	67	0	19	70
	73	0	17	20
	72	0	07	50
	74	0	00	90
	71	0	05	50
	77	0	00	60
	78	0	04	60
	203	0	10	60
	202	0	08	60
	207	0	16	20
	201/1	0	01	60
	208	0	12	30
	209	0	09	30
	218/2	0	06	70
	215	0	12	90
	216	0	12	00
	217	0	20	70
	212	0	03	70
	291/1	0	01	60
	292	0	05	60
	295	0	08	40
	296	0	06	90
	300	0	03	60
	299	0	06	20
	290/2	0	01	00
	301/1	0	16	70
	301/4	0	01	40
	301/2	0	05	90
	301/3	0	17	80
	301/6	0	00	50
	306	0	07	50
	311	0	03	30
	307	0	17	50
	310	0	00	20
	308	0	09	30
	321	0	02	20
	323	0	04	00
	322	0	07	30
	331	0	01	70
	320	0	03	00
	334	0	20	20
	332	0	02	20
	333	0	06	70
	335	0	01	60
	336/1	0	06	20
	336/2	0	06	70
	341/2	0	19	90
	342	0	11	70
	343	0	01	00
	344	0	01	90
	351	0	02	80

[सं. O-14016/42/84-जी.पी.]

S.O. 469.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. No. 3889 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

	2	3	4	5
Khajuri—(Contd.)	350	0	04	80
	349	0	02	80
	574	0	05	40
	573	0	01	80
	572/1	0	13	00
	570	0	08	80
	569	0	06	90
	568	0	03	40
	544/5	1	69	00
	544/11	0	01	60
	544/12	0	02	50
	541/7	0	13	60
	541/8	0	01	10
	541/5	0	06	00
	541/9	0	35	20
	541/6	0	06	00
	537/14	0	28	50
	537/13	0	05	90
	537/15/1	0	41	00
	537/16	0	16	60
	536/2	0	04	50
	536/1	0	20	10
	535	0	10	70
	526	0	07	50
	534	0	28	60
	529/1	0	36	00
	528	0	17	80
	527	0	20	20
	523	0	93	90
	522	0	03	50
	533/3/1	0	09	50
	204	0	05	70
	205	0	01	00

[No. O-14016/42/84-GP]

का. आ 470.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3882 तारीख 12-11-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के प्रयोजनार्थ के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाश की इस तारीख से निहित होगा।

अनुसूची

विजयपुर (म. प्र.) से सवाई माधोपुर (राज.) तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : टोंक तहसील : उन्धारा

गांव	खसरा नं.	हेक्टर	आर.	सेन्टीआर.
कोटकी	171	0	29	40
	173	0	48	00
	191	0	10	80
	189/2	0	43	80
	190	0	00	80
	202/2	0	47	60
	203/2/1	0	06	20
	203/1	0	11	90
	202/1	0	00	10
	203/2	0	31	50
	208	0	42	80
	184	0	02	60
	213/2	0	00	40
	212	0	14	20
	209	0	02	10
	211	0	17	50
	215	0	38	70

[सं. O-14016/20/84-जी. पी.]

S.O. 70.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S. O. 3882 dated 12-11-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State : Rajasthan District : Tonk Tehsil : Uniyara

Village	Survey No.	Hec-tare	Are	Cent-tiare
Kotadi	171	0	29	40
	173	0	48	00
	191	0	10	80
	189/2	0	43	80
	190	0	00	80
	202/2	0	47	60
	203/2/1	0	06	20
	203/1	0	11	90
	202/1	0	00	10
	203/2	0	31	50
	208	0	42	80
	184	0	02	60
	213/2	0	00	40
	212	0	14	20
	209	0	02	10
	211	0	17	50
	215	0	38	70

[No. O-14016/20/84-GP]

का. आ. 471.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 3227 तारीख 30-10-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संगलन अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संगलन अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संगलन अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

1418 Gfi84-10.

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख से निहित होगा।

अनुसूची.

विजयपुर (म. प्र.) से सवाई माधोपुर तक पाइप लाइन बिछाने के लिए

राज्य : राजस्थान जिला : कोटा तहसील : बारा

गांव	खसरा नं.	हेक्टर	आर	सेन्टीआर
गोरधनपुरा	619	0	64	80
	608	0	38	40
	609	0	02	40
	611	0	13	70
	525	0	38	20
	526	0	06	30
	526/839	0	02	61
	505	0	55	40
	512	0	05	40
	620	0	03	10
	612	0	00	40
	610	0	00	30
	507	0	51	90
	487	0	09	30
	484	0	29	40
	528	0	09	90
	482	0	09	00
	485	0	06	60
	486	0	04	50
	506	0	03	30
	508	0	02	90
	621	0	02	70
	617	0	00	80
	483	0	01	90
	481	0	02	60
	522	0	00	40

[सं. O-14016/218/84—जी. पी.]

एम. एस. श्रीनिवासन, उप सचिव

S.O. 471.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S. O. 3727 dated 30-10-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (5 of 1962) the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests from this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Vijai Pur (M.P.) to Sawai Madhopur (Raj)
State : Rajasthan District : Kota Tehsil : Baran

Village	Survey No.	Hec-tare	Are	Centiare
Goradhanpura	619	0	64	80
	608	0	38	40
	609	0	02	40
	611	0	13	70
	525	0	38	20
	526	0	06	30
	526/839	0	02	60
	505	0	55	40
	512	0	05	40
	620	0	03	10
	612	0	00	40
	610	0	00	30
	507	0	51	90
	487	0	09	30
	484	0	29	40
	528	0	09	90
	482	0	09	00
	485	0	06	60
	486	0	04	50
	506	0	03	30
	508	0	02	90
	621	0	02	70
	617	0	00	80
	483	0	01	90
	481	0	02	60
	522	0	00	40

[No. O-14016/218/84—GP]

M.S. SRINIVASAN, Dy. Secy.

वाणिज्य मंत्रालय

(वस्त्र विभाग)

नई दिल्ली, 21 जनवरी, 1985

का. आ. 472.—केन्द्रीय रेशम बोर्ड अधिनियम, 1948 (1948 का 61) की धारा 4 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, वाणिज्य मंत्रालय (वस्त्र विभाग), भारत सरकार की अधिसूचना का. आ. सं. 1819, दिनांक 28 मई, 1984 द्वारा यथा संशोधित का. आ. सं. 2234 दिनांक 24 अप्रैल, 1982 में एतद्वारा निम्नलिखित संशोधन करती है।

उक्त अधिसूचना में मद सं. 20 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :—

“20. श्रीमती निर्मला बुच,
सचिव, पंचायत तथा
ग्रामीण विकास विभाग
भोपाल, मध्य प्रदेश।

[का. सं. 25012/11/82—रेशम जिल्द-1]

ब्रह्म दत्त, संयुक्त विकास आयुक्त
(हथकरघा)

MINISTRY OF COMMERCE

(Department of Textiles)

New Delhi, the 21st January, 1985

S.O. 472.—In exercise of the powers conferred by Sub-section (3) of section 4 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Commerce (Department of Textiles) S.O. No. 2234 dated the 24th April, 1982, as amended by the Notification S.O. No. 1819, dated 28th May, 1984, namely :—

In the said notification for item 20 and the entry relating thereto, the following shall be substituted, namely :

“20. Smt. Nirmala Buch,
Secretary, Panchayat &
Rural Development Department,
Bhopal, Madhya Pradesh.

[F. No. 25012/11/82-Silk Vol. I]

BRAHM DUTT, Jt. Development Commissioner (Handlooms)

खाद्य और नागरिक पूर्ति मंत्रालय

(नागरिक पूर्ति विभाग)

नई दिल्ली 18, जनवरी, 1985

का. आ. 473.—व्यापार तथा पण्य वस्तु चिह्न नियम, 1959 के नियम 155 के उप-नियम (4) के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि उक्त नियम के उपनियम (1) और उप-नियम (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने सर्वश्री (रबीन्द्र कुमार बसु, कलकत्ता, (2) ए.ओ.सी. बारनीयर, कलकत्ता, (3) एच. डब्ल्यू. बरिंगटन, कलकत्ता, (4) आर. जी. रानाडे, बम्बई तथा (5) जे. सी. पांड्या, बम्बई का नाम व्यापार चिह्न एजेंटों के रजिस्टर से निकाल दिया है।

[का. सं. 29/1/आई. टी./टी. एम./84]

पी. एन. कौल, आर्थिक सलाहकार

MINISTRY OF FOOD AND CIVIL SUPPLIES

(Deptt. of Civil Supplies)

New Delhi the 18th January, 1985

S.O. 473.—In pursuance of sub-rule (4) of rule 155 of the Trade and Merchandise Marks Rules, 1959, it is hereby notified that, in exercise of the powers conferred by sub-rule (1) and sub-rule (3) of the said rule, the Central Government has removed the names of S/Shri (i) Rabindra Kumar Basu of Calcutta, (ii) E.D.C. Bernier of Calcutta, (iii) H.W. Burring-ton of Calcutta, (iv) R. G. Ranade of Bombay and (v) J. C. Pandya of Bombay from the Register of Trade Marks Agents.

[File No. 29/1/IT/TM/84]

P. N. KAUL, Economic Adviser

भारतीय मानक संस्था

नई दिल्ली, 8 जनवरी, 1985

का. आ. 474.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन बिन्दु) विनियम, 1955 के विनियम-14 के उपविनियम (4) के अनुसार अधिसूचित किया जाता है कि लाइसेंस संख्या 1252941 जिसके ब्योरे नीचे अनुसूची में दिये गये हैं 840601 से लाइसेंसधारी की प्रार्थना पर रद्द कर दिया गया है और वापस ले लिया जाता है।

अनुसूची

लाइसेंस की संख्या और दिनांक	लाइसेंसधारी का नाम और पता	एक लाइसेंस अधीन वस्तु/प्रक्रिया	सम्बद्ध भारतीय मानक
एल-1252941 1983-11-25	मैसर्स प्रसीडेंट इंडस्ट्रीज सी-1/290 जी. आई. डी. सी. एस्टेट नरोदा, अहमदाबाद	एंडोसल्फान इसी 35%	IS : 4323-1980 एंडोसल्फान प्राससनीय सांद्र की विशिष्टि (प्रथम पुनरीक्षण)

[सी. एम. डी. / 55 : 1252941]

ए. एस. चीमा, अपर महानिदेशक

INDIAN STANDARDS INSTITUTION

New Delhi, the 8th January, 1985

S.O. 474.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks) Regulation 1955 as amended from time to time, the Indian Standards Institution hereby notifies that licence No. 1252941 particulars of which are given below has been cancelled with effect from 84-06-01 at the request of the Licensee.

SCHEDULE

Sl. No.	Licence No. & Date	Name and Address of the licensee	Article/Process Covered by the licence Cancelled	Relevant Indian Standards
1.	L-1252941 1983-11-25	M/s President Industries C-1/290 GIDC Estate, Naroda, Ahmedabad.	Endosulfan EC 35 per cent	IS : 4323-1980 specification for endosulfan emulsifiable concentrates (First Revision)

CMD/55 : 1252941]

A.S. CHEEMA, Addl. Director General

ग्रामीण विकास मंत्रालय

आदेश

नई दिल्ली, 10 जनवरी, 1985

का. आ. 475.—केन्द्रीय सरकार, आवश्यक वस्तु अधिनियम, 1955 (1955 का) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए शीतागार आदेश, 1980 का और संशोधन करने के लिए निम्नलिखित आदेश करती है, अर्थात् :—

- (1) इस आदेश का संक्षिप्त नाम शीतागार (संशोधन) आदेश, 1985 है।
- (2) यह राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगा।

2. शीतागार आदेश, 1980 में, खंड 24 के स्थान पर निम्नलिखित खंड रखा जाएगा, अर्थात् :—

“24. अपील-अनुशासन अधिकारी के आदेश से व्यक्ति कोई व्यक्ति उसके द्वारा आदेश की प्रति प्राप्त किए जाने के 30 दिन के भीतर केन्द्रीय सरकार को अपील कर सकेगा। केन्द्रीय सरकार आवश्यक

को सुनवाई का अवसर देने के पश्चात्, ऐसे आदेश को पुष्ट कर सकेगी, उलट सकेगी या उपास्तित कर सकेगी।”

[सं. 15/3/81-एम-1]

अतुल सिन्हा, निदेशक (विपणन)

टिप्पण :—

मूल आदेश का. भा. सं. 1453 तारीख 20/9/1980 को भारत के राजपत्र, खंड 3, उपखंड (ii) में प्रकाशित हुआ था।

पश्चातवर्ती संशोधन इस प्रकार है :—

1. का. भा. सं. 2964 तारीख 23-7-1983
2. का. भा. सं. 3001 तारीख 22-9-1984

MINISTRY OF RURAL DEVELOPMENT

ORDER

New Delhi, the 10th January, 1985

S.O. 475.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955),

the Central Government hereby makes the following order further to amend the Cold Storage Order, 1980, namely :—

1. (1) This Order may be called the Cold Storage (amendment) Order, 1985.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Cold Storage Order, 1980, for clause 24, the following clause shall be substituted, namely:—

"24—Appeal. Any person aggrieved by the order of the Licensing Officer may within 30 days of the receipt of a copy of the order by him, prefer an appeal to the Central Government. The Central Government may after giving the applicant an opportunity of being heard, confirm, reverse or modify such order."

[No. 15-3/81-M. I]

ATUL SINHA, Director (Marketing)

NOTE

Principal Order published vide S.O. No. 2453 dated 20-9-1980, Part II, Section 3 Sub-Section (ii) of the Gazette of India.

Subsequent amendments

1. S.O. No. 2964 dated 23-7-1983.
2. S.O. No. 3001 dated 22-9-1984.

भारत सरकार

नई दिल्ली, 14 जनवरी, 1985

का. आ. 476:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारी पानी प्रोजेक्ट, अनुशक्ति कोटा के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, जयपुर (राजस्थान) के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-1-1985 को प्राप्त हुआ था।

MINISTRY OF LABOUR

New Delhi, the 14th January, 1985

S.O. 476.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Jaipur, Rajasthan as shown in the Annexure in the industrial dispute between the employers in relation to the management of Heavy Water Projects, Anushakti, Kota and their workmen, which was received by the Central Government on 3-1-1985.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, JAIPUR

Case No. CIT-24/82

Reference : Government of India, Ministry of Labour, New Delhi notification No. L-42012(61)/80-D. II. B dated 18th July, 1981.

In the matter of an Industrial Dispute

BETWEEN

Shri Khem Ram Raloti represented by Rajasthan Anushakti Karamchhari Union, Rawatbhata.

Vs.

Management of Heavy Water Project Kota

PRESENT :

For the Applicant : Shri J. K. Agarwal.

For the Opposite Party : Shri P. C. Jain.

Date of Award : 20th September, 1983.

AWARD

The Central Government has referred the following dispute for adjudication :—

"Whether the action of the management of Heavy Water Project (Bhabha Atomic Research Centre) P.O. Anushakti, Kota Rajasthan in removing Shri Khem Raj Raloti, Helper 'B', from service w.e.f. 2-8-1979 is legal and justified? If not, to what relief is the workman, entitled?"

2. The union in its statement of demand has set up a case that Shri Khem Raj has been working as Helper in Heavy Water Project, Kota. Earlier he was Helper 'A' but later on he was promoted as Helper 'B' in Civil Section from 8-5-1976. Under the Rules framed by the opposite party from 8-5-1976. Under the Rules framed by the opposite party the worker was entitled for leave travel concession benefits once in every four years. Shri Khem Raj availed the benefit in the year 1979. He obtained leave from 6-1-1979 to 15-1-1979 and also an advance of Rs. 538 for going to Kanya Kumari. Shri Khem Raj could not proceed for Kanya Kumari in spite of having made all arrangements because his father handicapped became ill and needed medical treatment. The money taken in advance was utilised in his treatment. According to the union the punishment of removal from service of Shri Khem Raj is too heavy punishment in the circumstances of the case. He had given the reasons for his having utilized the amount taken in advance for leave travel concession.

3. Reply was filed by the opposite party in which it is stated that the advance taken for leave travel concession was required to be refunded in one lumpsum if the facility was not availed. The amount could not be utilized for any other purpose. When it came to the notice of the opposite party that the worker Shri Khem Raj has not utilized the amount for leave travel, a charge sheet was given to him. Shri Khem Raj vide his statement of defence dated May 19th, 1979 admitted non-utilisation of advance for the purpose it was sanctioned. According to the opposite party Shri Khem Raj knowingly submitted false claim to get LTC advance adjusted to defraud the Government but when the charge sheet was served he had no other alternative but to accept the guilt and under these circumstances his confession of guilt in no way mitigates the offence. According to the opposite party the punishment imposed on Shri Khem Raj is not disproportionate looking to the gravity of the offence, more so when Shri Khem Raj has submitted a false LTC claim producing fabricated evidence in support thereof.

4. I have heard the counsel for the parties. It cannot be disputed that from the admission of Shri Khem Raj, a charge against him stands proved. The only point adopted by Mr. P.K. Sharma, appearing for the union is that Shri Khem Raj had submitted to the disciplinary authority the circumstances which compelled him to utilize the amount for other than leave travel. He submits that his father was a handicapped person, had been taken ill when Shri Khem Raj was to proceed on leave travel concession and thus he had to spent the amount over his treatment. This is a mitigating circumstance.

5. The Government has given leave travel concession to its servants to avail once in four years and one is only entitled to the amount in accordance with the Rules if the travel is undertaken. The amount is not to be utilised for any other purpose. If Shri Khem Raj could not undertake the travel and could not proceed on leave travel concession, may be for a pressing circumstance, should have refunded the amount taken in advance for the purpose. When he was asked he not only came out with a case that he has actually performed the journey and as such the amount has been utilized for the purpose for which it was taken, but also submitted forged documents in support of his plea. Only when the charge sheet was given to him after preliminary enquiry

in which evidence has been collected about forgery of the documents Shri Khem Raj came out with a plea that he could not undertake the journey as his handicapped father was ill and the amount was spent over his treatment. In my opinion it is not a mitigating circumstance. In such cases the penalty of removal from service cannot be said to be disproportionate.

6. I am, therefore, of the opinion that the action of the Management of Heavy Water Project (Bhabha Atomic Research Centre) P.O. Anushakti Kota in removing Shri Khem Raj Raloti, Helper 'B' from service w.e.f. 2-8-79 is legal and just. The worker is not entitled to any relief.

7. Let this award be sent to the Central Government for publication under Section 17(1) of the I.D. Act, 1947.

MAHENDRA BHUSHAN SHARMA, Presiding Officer

[No. L-42012(61)/80-D. II(B)]

नई दिल्ली, 15 जनवरी, 1985

का० आ० 477:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, इन्डियन ऐयरलाइन्स के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5 जनवरी, 1985 को प्राप्त हुआ था।

New Delhi, the 15th January, 1985

S.O. 477.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the dispute between the employers in relation to the management of Indian Airlines and their workmen, which was received by the Central Government on the 5th January, 1985.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 44 of 1983

PARTIES :

Employers in relation to the management of Indian Airlines.

AND

Their Workmen.

PRESENT :

Mr. Justice M. P. Singh.—Presiding Officer.

APPEARANCES :

On behalf of Management.—Mr. S. K. Bhasin an officer of Commercial and Industrial Employers' Association.

On behalf of Workmen.—Mr. Panchanan Bhattacharya, Industrial Relation Officer of the Union.

STATE : West Bengal.

INDUSTRY : Airlines.

AWARD

By Order No. L-11012(8)/82-D-II(B) dated 18th July, 1983, Government of India in the Ministry of Labour and Rehabilitation (Department of Labour) referred the following dispute to this Tribunal for adjudication

"Whether the action of the management of Indian Airlines in relation to its Eastern Region in retiring from service Shri Sukhabindu Basu, Chief Draughtsman, Grade IX of Engineering Department, Quality Control Section, Eastern Region of the Indian Airlines with effect from 31-3-1982 is justified? If not, to what relief is the workman concerned entitled?"

On a perusal of the above it is clear that the only issue to be determined is whether the retirement of Sukhabindu Basu with effect from 31 March 1982 is justified. This will depend on the determination of the fact as to whether he was born in 1927 as alleged by him or in 1924 as alleged by the management of the Indian Airlines. In my opinion the case of the management has to be accepted in this regard. It is relevant to mention here that previously the concerned workman S. Basu was in another service, that is, in the service of the Army authorities prior to joining on 15-7-1957 the present service as senior draftsman under the Indian Airlines. Ext. M-2 and M-3 are the two discharge certificates issued to the concerned workman S. Basu by the Army authority. First, he was in the service of the army authorities from 20-5-1942 to 26-10-1943. Ext. M-2 was issued to Sri S. Basu on 29-11-43. In this document his age has been recorded as 19 years. It means that he was 19 years in October 1943 when he was discharged. From this document it follows that he was born in the year 1924. Next he was in service there from 9-3-1945 to 5-4-1946. Ext. M-3 issued to him on 5-4-1946. In this document his age has been shown as 21 years on recruitment (9-3-1945). Also this document shows that he was born in 1924. It is to be noted that these two discharge certificates Ext. M-2 and M-3 were filed along with the application for appointment (Ext. W-1) by the concerned workman himself in April 1957. On this basis and on the basis of his experience of working for 11 years in Air Survey Co. of India Ltd. (see Ext. W-14) he got the appointment in the Indian Airlines and later the date of birth also was noted in his personal service record (Ext. M-1). It is not, therefore, open to him to go back upon them. Another important thing to be noted is that in his application for employment (Ext. W-15) he left blank the column for the date of birth. Further when he sought employment with the corporation he filled the "employment particulars form" at the time of joining (Ext. M-1). He again left blank the column for the date of birth in this personal service record. He also put matric in Ext. M-1, though he was not matric at that time. He filled all other columns. It is reasonable to infer that he left it blank intentionally and with some ulterior motive to manufacture some evidence regarding his age. It is needless to say that every employee in service of the government or corporation realises the importance of age, because the appointment or retirement depends upon it. I find no good reason for this omission in filing the column meant for the date of birth. This is a very material circumstances against the concerned workman. Again it is to be noted that on 19th July 1962, the workman requested for a certificate required for house building loan under "low income group housing scheme" (Ext. M-6) and that a certificate was issued to him on 23rd July 1962 showing his age as 38 years. This also goes to show that he was born in the year 1924. No objection was raised by the concerned workman to this certificate (Ext. M-7). Not only that. Subsequently in the periodical seniority lists (vide Ext. M-15 and M-16 dated 27-3-1974 and 24-9-1980 respectively) displayed on the notice board in 1974 and 1980, the date of birth of the workman was shown as 9th March 1924. The workman concerned never raised any objection regarding the seniority list as to the date of his birth.

2. As against all these facts and circumstances the concerned workman relies on a matriculation certificate (Ext. W-3) which he obtained after 3 years of the appointment under the Indian Airlines. At the time of his appointment in 1957 in the service of the Indian Airlines, Sri Sukhabindu Basu was not a matriculate. He sat for matriculation examination as a private candidate in 1960 and passed matriculation examination in July 1960. Thereafter he procured his matriculation certificate from the Punjab University. Ext. M-4 is a copy of the matriculation certificate dated 23-6-1960. In that matriculation certificate date of birth has been shown

as 21-7-1927. This age must have been given by himself and by nobody else. In fact he has admitted in his evidence in chief that he gave the date of birth in the application from the matriculation examination. In his cross-examination he has said that he certified his age to the university authority on the basis of affidavit. This evidence he created after 3 years of the appointment in the service of the Indian Airlines. It seems to me that he described this date of birth with a motive, that is to say, for utilising it in the service of the Indian Airlines. I have already said that he had deliberately left blank the column in the prescribed forms relating to the date of birth. I am not therefore inclined to rely on this matriculation certificate (Ext. W-3) for the purpose of the present case.

3. In view of the discrepancies brought out by the concerned workman in the date of his birth the corporation issued notice to him in the year 1971 to explain the discrepancy (vide Ext. M-8). He gave reply on 5-3-1971 (Ext. M-9). His explanation was rejected. He was informed by letter dated 14-7-1971 that his age as given in the Army certificates had been accepted. He was also informed that his age as given in matriculation certificate cannot be accepted (Ext. M-10). It is surprising that before the corporation wrote to him in 1971 he had never seriously pressed for correction of his age in his service record. On his own admission in his evidence in cross-examination he did not make any application to the management for correction of his age between 1962 and 1970. He knew that he had left blank the column for date of birth in the prescribed form. In 1960 he supplied exact date of birth in his matriculation examination. Then why did he not press for correction of his age? Obviously he wanted to raise it later may be, at the time of retirement. I would like to mention at this place that on his own showing (vide para 1 of the written statement) he had obtained employment in the army service through mis-representation of his age and, if so, then having availed the benefit of service there through mis-representation, he cannot now turn round and claim that he was not born in 1924.

4. The concerned workman has also relied upon a school leaving certificate (Ext. W-6) in which his date of birth is mentioned as 21-7-1927. In this certificate it is stated that he was a student of Class X in 1942 but this certificate was procured in 1972 and was filed in 1973. If this certificate would have been genuine, it would have been filed earlier and that the date of birth also could have been mentioned in Ext. M-15 in 1957. No competent person has come from the school to prove it. I do not rely upon it.

5. Sri Bhattacharya appearing for the union contended that in the medical certificate (Ext. W-2 dated 15-7-1957) the age has been mentioned 30 years. It may however be noticed that this "30 years" was mentioned "by appearance". There is nothing to show that the concerned workman was sent to the medical officer for assessment of his age. He was rather sent to the medical officer in relation to his physical fitness (vide MW-1 V. S. Raghavan). Such medical fitness is required in the case of all employees (see MW-1). It is specifically stated in the medical certificate that the concerned workman gave his age 30 years and then it was further written 30 years by appearance. In my opinion, the idea about age by appearance can never be accurate. So this medical certificate is not useful.

6. The union have filed another medical certificate W-16 granted by WW-2 Dr. Bankim Roy in order to show that on 7-8-1982 the concerned workman was approaching 55 years only. In my opinion the medical report of this doctor is not convincing. The doctor himself has admitted in his evidence that when for the first time Sri S. Basu approached him to know as to whether he would accept his case, he was told that ordinarily he does not accept such cases but on compassionate ground he would accept his case. The doctor has also said in his evidence that S. Basu had explained him his plight with tears in eyes. It may be mentioned that Sri Basu had approached this doctor after retirement for medical examination. To me it appears that WW-2 must have entertained some soft feeling for Basu due to the above reason. It is to be noted that MW-2 Dr. P. Roy

(retired government servant) has disagreed with the opinion of Dr. Bankim Roy and he has given good reasons for disagreement. His opinion is Ext. M-18. He has said in his deposition that if there is dispute regarding age and if the difference is between 3 to 5 years, it is not possible to determine the correct age by medical examination. His evidence was criticised by Sri Bhattacharya on the ground that he was attached to the Indian Airlines as medical consultant. In my opinion this is not a good ground to discredit him. The evidence of the third witness of the union WW-3 Mr. S. K. Mukherjee is not relevant on the point as to in which year S. Basu was born. He has spoken about the circulars and some letters. It is not therefore necessary to discuss his evidence in any detail. It is also to be noted that the concerned workman never applied to the management of the Indian Airlines for the assessment of his age by a medical board. The medical certificate therefore is of no help to the union.

7. Sri Bhattacharya next contended that in his application of 23 April 1957 (Ext. W-1) for appointment the concerned workman said that he was a young man of 30. In my opinion this is not enough. He should have mentioned his date of birth in the prescribed form which he was bound to fill at the time of his interview. He left it blank. In the matriculation certificate (Ext. W-3) his exact date of birth was mentioned in terms of date, month and year. In his school leaving certificate (Ext. W-6) also the date, month and year have been mentioned. He was in class X in 1942. If so what was the difficulty in stating the date of birth in 1957 in the prescribed form. It is not understandable why he did not mention his date of birth in the prescribed form in 1957. To me it seems that his intention was that attention of the management should not be drawn to it. Thus the point has no force.

8. Sri Bhattacharya next contended that the two discharge certificates (Ext. M-2 and M-3) were filed merely for the purpose of showing experience and not for the purpose of giving his age. In my opinion the argument is not impressive. When the age was specifically mentioned in the very document which the concerned workman himself filed before the management of the Indian Airlines the fact cannot be ignored. The concerned workman does not say what was his age when he was in the service of Army authorities. The contention is rejected.

9. Sri Bhattacharya next drew my attention to Ext. W-11 which is alleged to be a true copy of service record form. This seems to have been filed by the concerned workman S. Basu himself on 6-11-1965. This document seems to be highly doubtful. The words 'true copy' have been written by pen on the top at the left hand side of the first page. There is no signature below it. It is not understandable how that was written in ink at the left side without signature and it is written by the workman who wrote it. In this form the date of birth is stated to be 21st July, 1927. This entry is of no importance as it purports to have been prepared by the concerned workman in the year 1965. He had already mentioned this date in his matriculation certificate in the year 1960 hence the entry in Ext. W-11 having been made later by the workman himself can be of no importance. MW-3 Mr. P. K. Chakraborty has given evidence that Ext. W-11 is not in the personal service record of the concerned workman. He has further said that the management does not require any employee to fill such form. I rely on him. It appears that he had done some good work in 1968 for which a recommendation was made for his promotion as chief draftsman (see Ext. W-7). It was argued that promotions in 1968 was given on the basis of details submitted in Ext. W-11. I do not think so. There is nothing to connect the two. There is no signature of any officer on this document Ext. W-11. WW-1 S. Basu has admitted in his evidence. It is not in the personal service record (Ext. M-1) of Sri Basu. Anyway, in my opinion this document Ext. W-11 (purporting to be a record of service form) is not a genuine document and I do not rely upon it.

10. Sri Bhattacharya next argued that the encircled portion in Ext. M-1, namely, the personal service record form of Sri S. Basu was not written by Sri Basu nor it was made

in his presence. That encircled portion is as under :

"Date of birth as per discharge certificate I.H.M.E. is 9-3-1924".

It is clear that it is merely a mention of record. I have already said that the two discharge army certificates (Ext. M-2 and M-3) were filed by the concerned workman himself. The matter was also explained by MW-1 Mr. Raghavan who has deposed that it was written by the staff of the personnel dept. at Dum Dum who was assigned to go through all the cases and to record the date of birth. It was for that reason that he made the correction aforesaid. It is not an alteration of date of birth but merely mentioning a recorded fact. The contention of Sri Bhattacharya thus has no substance.

11. Sri Bhattacharya next submitted that the matriculation certificate (Ext. W-3) was given to the management in the year 1960 but the management never asked the concerned workman to explain the discrepancy for several years and hence the date mentioned in the matriculation certificate should be accepted as the correct date. I have already given reasons to discard the matriculation certificate and that is the end of the matter.

12. Sri Bhattacharya next argued that the chief engineer wrote a letter (Ext. W-5) dated 13th June, 1959 to Sri Basu asking him to produce documentary proof regarding his age and educational qualification by 30th June, 1959 failing which the corporation will be at liberty to fix the date of birth on obtaining medical advice. Suffice to say that this letter cannot mean that any document filed by the concerned workman will be swallowed as genuine document. The matriculation certificate on which the concerned workman relied for the purposes of his age has already been rejected. The letter is therefore of no help to the concerned workman.

13. Sri Bhattacharya for the union also advanced an argument that 2 pages are missing from the personal service record of Sri Sukhabindu Basu. The point was not taken in the pleading nor in evidence. It was also not put to any witness of the management. There is nothing to show that any page is in fact missing from the personal service record. This point is only in the argument of the learned counsel not based on any material. The contention is rejected.

14. Sri Bhattacharya appearing for the union argued many other matters which are not in the pleading and are beyond the terms of reference. I will not therefore refer to them.

Several decisions have been cited by the parties in respect of their respective contentions but the issue in the present case is a simple question of fact and it involves merely appreciation of evidence on record. I do not think that any useful purpose will be served by discussing them. The point relating to the date of birth of the concerned workman Sukhabindu Basu has been decided on evidence and it is a pure question of fact. I therefore do not discuss any authority on this point.

15. In the result I find that the action of the management of Indian Airlines in relation to its Eastern Region in retiring from service Shri Sukhabindu Basu, Chief Draughtsman, Grade IX of Engineering Department, Quality Control Section, Eastern Region of the Indian Airlines with effect from 31st March, 1982 is justified. It follows that the concerned workman is not entitled to any relief.

Th's is my Award.

M. P. SINGH, Presiding Officer
[No. I-11012(8)/82-D.II(B)]

Dated, Calcutta,

The 22nd December, 1984.

का. आ. 478:--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, डाक तार विभाग, उलसूर, बैंगलोर टेलीफोनज बैंगलोर के प्रबंधन से सम्बन्धित विवादों और उनके कर्मचारों

के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बैंगलोर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10 जनवरी, 1985 को प्राप्त हुआ था।

S.O. 478.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the management of P&T Department, Ulsoor, Bangalore Telephones, Bangalore and their workmen, which was received by the Central Government on the 10th January, 1985.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA, BANGALORE

Dated this the 26th day of December, 1984

PRESENT :

Sri R. Ramakrishna, B.A., B.L., Presiding Officer.

Central Reference No. 17 of 1984

I PARTY

Smt. Polina, C/o Shri G. Isaac, No. 23, Kaliammal
Koil Street, Ulsoor, Bangalore-560008.

Versus

II PARTY

The Assistant Engineer, P&T Department, Ulsoor, II
(Cross Bar), Bangalore Telephones.

APPEARANCES :

For the I Party—Sri V. Gopala Gowda, Advocate, Bangalore.

For the II Party—Sri V. Gopala Gowda, Advocate, Bangalore.

REFERENCE :

(Government Order No. L-40012(6)/83-D.II(B) dated
7-6-1984)

INTERIM AWARD on I.A. No. I for Interim Relief.

The Government of India has referred this dispute for adjudication relating to the termination of the services of Smt. Polina, a casual labourer working in P&T Department, Ulsoor, Bangalore Telephones, Bangalore, with effect from 16th September, 1982.

2. Smt. Polina after service of notice filed her claim statement on 31st August, 1984 engaging an advocate and on behalf of the II Party one Sri T. R. Rangaraju has filed Memo of appearance along with a memo seeking adjournment for a month to file the statement as some clarifications are required from P&T Directorate in consultation with law Ministry.

3. On 17th September, 1984, Smt. Polina has filed an application under Section 10(4) of the Industrial Disputes Act, 1947 for granting an Interim relief to the extent of 100 per cent wages last paid pending disposal of the dispute for the reasons stated in the accompanying affidavit. The dispute was adjourned for purpose of objections by the II Party and in spite of five adjournments no objections have been filed to this application and also no counter statement has been filed to the claim statement of the I Party, hence the counsel for the I Party has addressed arguments on I.A. No. I.

4. Smt. Polina sworn to in the affidavit contending that she was employed in the II Party on 1st August, 1978 as casual mazdoor with 7 hours duty and was drawing Rs. 3.96 per day. Giving one month's break in the service she was continued in service from 24th March, 1979 on daily wages of Rs. 4.81 per day and from June 1980 with Rs. 172 per month on 8 hours work per day. Again on June 1981 she

was promoted to II category with 8 hours work per day with a salary of Rs. 330 per month and her services were terminated on 16th September, 1982 without any notice. She has further contended that she has not been given any labour statutory benefit for which a Government servant is entitled and she has been placed continuously under the discretionary powers under the II Party and she has rendered 4 years of service.

5. She has further contended that she was not given any charge sheet, notice of termination, not assigned any reason for terminating the services and no enquiry was held and hence it is a planned termination as a measure of victimisation for her trade union activities. She has further contended that the refusal of employment is violative of Section 25F clauses (a) and (b) and also Section 25-G of the Act and utter violation of the principles of natural justice.

6. She has further contended that she is a widow having one son and two daughters and finding it very difficult for a living and hence the termination awarded by the II Party without looking into and considering the mitigating circumstances is illegal, arbitrary, capricious, unjust, unreasonable, vexatious and not sustainable in law. She has further contended that because of the illegal action of the II Party she is suffering without any employment, thus great hardship and mental agony has caused to herself and to the members of her family and there is no other source of income to take out their livelihood. She has further contended that her family members were depending on her income and she is without any employment and there was no earning member in the family and to render social justice this Tribunal should pass an Interim Order granting interim relief at the rate of 100 per cent of the wages which she was drawing at the time of termination and to pass any other justifiable order.

7. Now the only point that arises for determination is—

(1) Whether the I Party has made out a prima facie case for grant of interim relief, and if so, the amount of interim relief she is entitled to and from what period?

(2) What order?

8. Since the II Party has remained absent continuously without filing any objections to the main dispute and also to this application this Tribunal has to contend with the arguments advanced by the learned counsel for the I Party. The learned counsel has submitted that the action of refusal of employment is violative of Section 25-F, sub-clauses (a) and (b) and admittedly, though the I Party has worked continuously from June, 1980 until termination on 16th September, 1982, the II Party is not justified in making a dismissal simpliciter without assigning any reason, hence his client has got a prima facie case to get interim relief by this Tribunal.

9. In the reference, the I Party has been referred as a casual labourer. The law is settled when there is a continuity of service of a casual, temporary, the order should indicate the reason for dismissal or discharge. When the continuity of service comes, except for a misconduct the employer should follow the procedure laid down under Section 25-F for retrenching a workman. In this regard, there is a catena of decisions that a defective enquiry is not an enquiry at all and to define the absence of enquiry is to state the obvious and therefore there is a prima facie case for the I Party to get the interim relief. If regard is had to the ruling of the Supreme Court in D.C. Roy vs. The Presiding Officer, Labour Court and others reported in A.I.R. 1976 SC 1760 and Gujarat Steel Tubes Ltd., vs. Gujarat Steel Tubes Mazdoor Sabha and others reported in A.I.R. 1980 SC 1896, the Tribunals are not justified in coming to the conclusion that the workman before it who is the applicant for interim relief had not made out a prima facie case. If the management conceded that no enquiry was held then the presumption should be in favour of the employee that the dismissal order terminating the services is bad and the burden, therefore, shifts to the employer under Section 11A of the Act to justify the dismissal order by sufficient cogent evidence before the Tribunal. In such an event, the presumption is in favour of the workman that the dismissal is wrongful. In the absence of any material to the contrary, then what is alleged by the I Party, I have to hold that the I Party is entitled for interim relief until disposal of the reference. The I Party

has sworn to in the affidavit that she is a widow having one son and two daughters and she is not only fighting against poverty and also finds an adversary which is comparatively mightier with reference to money and resources to sustain. Due to various circumstances the final adjudication is naturally time consuming and in that process one cannot starve out the I Party-workman and drive away from litigation. Therefore, though interim relief is not specifically provided in the Act it is incidental to the resolution of dispute and therefore part of the inherent power of the Tribunal to grant the interim relief in appropriate cases.

10. With regard to the quantum of relief, the I Party claimed 100 per cent and she has made out that she was drawing a salary of Rs. 330 per month at the time of termination. Having regard to the condition of living, it is feasible that a sum of Rs. 250 per month is ordered to be granted as interim relief until disposal of this reference. Hence I hold this point accordingly in the affirmative.

11. In the result, this application is allowed partly awarding a sum of Rs. 250 as Interim relief for the I Party from the date of the application i.e. 17th September, 1984 till the disposal of the reference. The amount thus awarded shall be paid by the II Party every tenth of each month and the arrears accrued shall be paid immediately after publication of the award.

(Dictated to the Stenographer, transcribed and typed by him and corrected by me.)

R. RAMAKRISHNA, Presiding Officer

[No. L-40012(6)/83-D. II(B)]

नई दिल्ली, 18 जनवरी, 1985

का० आ० 479 - औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, डिबीजन इंजीनियर फोन भोपाल के प्रबंधक से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर (म० प्र.) के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11 जनवरी 1985 को प्राप्त हुआ था।

New Delhi, the 18th January, 1985

S.O. 479.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur, M. P. as shown in the Annexure in the industrial dispute between the employers in relation to the management of Divisional Engineer Phones, Bhopal and their workmen, which was received by the Central Government on the 11th January, 1985.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(43)/1984

PARTIES :

Employers in relation to the management of General Manager, Telecommunication, Bhopal and their workman represented through the Bhartiya Telecommunication Technicians Union, Bhopal Circle, Bhopal (M.P.).

APPEARANCES :

For Management—Shri M. S. Rathore.

For Workman—Shri B. L. Tiwari.

INDUSTRY : P & T. DISTRICT Bhopal (M.P.)

AWARD

Dated, December 31, 1984

The Central Government in exercise of its powers under Sec. 10 of the Industrial Disputes Act, 1947, referred the following dispute, for adjudication, vide Notification No. L-40012(13)/82-D.II(B) dated 12th June, 1984 :—

“Whether the action of the Divisional Engineer, Phone, Bhopal in not granting the annual increments and also not releasing the EB to Shri V. K. Patne, Technician w.c.f. 4-11-79 and onward is justified? If not, to what relief the workman is entitled?”

2. V. K. Patne was in the services of the Post and Telegraphs Department under the Divisional Engineer, Phones, Bhopal when he reached the Efficiency Bar stage. Since the Efficiency Bar was not cleared he was not given the increments. On 4-11-1979 V. K. Patne reached the C.Rs. Efficiency Bar. According to the management the C.Rs. of the immediate officers were not received. The officers concerned had been transferred and it took sometime to obtain the necessary C.Rs. This resulted in the disposal of the case. The report dated 2-9-1982 of the Assistant Engineer was against him. The D.P.C. therefore did not recommend crossing of the Efficiency Bar. Thereafter, the applicant made appeal and representation in which he succeeded. His case was again placed before the A.E. on 21-5-1983. The A.E. recommended his case and therefore on 24-5-1983 the D.P.C. considered his case recommending the clearing of the Efficiency Bar. The effect of this was that Patne got all his increment without any prejudice. The increments were given as though the bar had been immediately cleared. It may be noticed that though the Efficiency Bar had been cleared the decision was taken belatedly after a delay of about 3 to 4 years. The applicant had therefore been running from pillar to post during this period and trying to remind the department. He contends that as many as 27 reminders were made before his case had been finalised.

3. Under Fundamental Rule 24 an increment shall ordinarily be drawn as a matter of course unless it is withheld. The increment may be withheld if the conduct of the Government servant had not been good or his work has not been satisfactory. When the Efficiency Bar stage is reached the increments are stopped till the bar is lifted. Under F.R. 25 where an Efficiency Bar is prescribed in the time scale the increment next above the E.B. shall not be given to a Government Servant without the specific sanction of the authority employed to withhold increments under Rule 24 or the relevant disciplinary rules applicable to the Government servants or of any other authority whom the President may, by general or special order, authorise in his behalf. My attention was drawn to a Circular quoted at page 87 of Swamy's Compilation of Fundamental Rules and Supplementary Rules, Sixth Edition. The Circular No. 29014/1/76-Est (A) dated 18th October, 1976 reads as under :—

“With a view to avoiding procedural delays and also with a view to reducing occasions on which files are circulated to the members of the Departmental Promotion Committee, it has been decided that the following time schedule may be adopted for the screening of efficiency bar cases :—

Month in which EB cases should be considered by the D.P.C.

January
April
July
October

Months during which the date of crossing the EB falls

January to March
April to July
August to October.
November and December.

1418 GI/84—11

According to the existing procedure the Annual Confidential Reports are written in the Secretariat according to the calendar year and in other offices according to the financial year.

It would be seen from the time schedule prescribed above that efficiency bar cases falling during the months of January to March are clear in January and cases falling during the months of April to July in the month of April. It would be necessary to get the Confidential Reports in respect of these persons written on priority basis during the first fortnight of January/April itself so that the consideration of these cases are not delayed beyond the months of January and April. In respect of cases of efficiency bar becoming due during the months of August to December, it would not be necessary to obtain special reports as a matter of course for the incomplete portion of the year for which regular confidential reports are not yet due.”

4. The argument is that the management was bound to take action in the matter of Efficiency Bar of Patne much before the bar fell due. Since the bar fell due on 4-11-1979 the action ought to have been taken in October and the D.P.C. ought to have considered his case in October. This necessarily implies that the C.R. and the reports of the officer concerned should have been obtained even before October so as to place them before the D.P.C. when it met in October. According to the workman when a procedure is laid down and if it is not followed it would vitiate the resultant order. It would be seen that the Circular cited above are meant for the guidance of the department. They are regulatory and it is expected that the officer concerned would follow them. Now if they are not followed the officer concerned responsible for not observing them would become answerable to the superior authority, but this would have no bearing on the validity of the resultant order. The circular was meant to expeditiously dispose of the E.B. cases and to avoid hardships to the Government servant whose case was under consideration. What the Government servant lost because of the delay in his decision was interest on the increments during the three or four years and of course the amount of agony that he had to undergo till the decision was taken. The explanation of the management that the whole thing was delayed because of unforeseen causes has undoubtedly some substance. But they seem to have defaulted to the extent that they had not taken action according to the circular before October. Had that been done certainly no case for grievance would arise. I am sure that the administrative officers would take notice of these circulars to avoid such situations in future.

5. Even before the notification referring the matter for adjudication under Sec. 10 was made the claim of V. K. Patne had been wholly settled and he had received all the benefits legally due to him. It seems that the department had been pursuing the matter and because Patne's case had been rejected in 1982 it took sometime before the second D.P.C. in 1983 considered his case again and cleared it. In my opinion no order for costs is made out. I therefore, render this award by saying that V. K. Patne has been granted annual increments due to him as his Efficiency Bar had been lifted by the D.P.C. on 24-5-1983. The delay in clearing the bar is partly due to the department, but they cannot wholly be held responsible for it. Therefore no case for costs is made out. No other grievance is sustainable after the order clearing the Efficiency Bar of Shri V. K. Patne, Technician was made.

K. K. DUBE, Presiding Officer

Dated : 31-12-1984.

[No. L-40012(13)/82-D.II(B)]
HARI SINGH, Desk Officer.

नई दिल्ली, 15 जनवरी, 1985

का० अ० 480-प्रौद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय

सरकार, पंजाब नेशनल बैंक, जयपुर के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2 जनवरी 1985 को प्राप्त हुआ था।

New Delhi, the 15th January, 1985

S.O. 480.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jaipur in the industrial dispute between the employers in relation to the management of Punjab National Bank, Jaipur and their workmen, which was received by the Central Government on the 2nd January, 1985.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, JAIPUR

Presided by Shri M. B. Sharma.

Case No. CIT-27/82

REFERENCE :

Desk Officer, Government of India, Ministry of Labour,
New Delhi Order No. L-12012/144/79-D.I.A., dated
30th July, 1981.

In the matter of an Industrial Dispute

BETWEEN

Shri K. C. Sharma represented by the General Secretary, All India Punjab National Bank Employees Association, Chandni Chowk, New Delhi.

AND

The Regional Manager, Punjab National Bank, B-105,
University Marg, Bapu Nagar, Jaipur.

PRESENT :

For the Union—Shri P. D. Dube.

For the Bank—Shri J. M. Sood, Shri P. D. Bansal &
Shri Bhardwaj.

Date of Award : 18th January, 1984.

AWARD

Arguments have been heard in this case on December 8, 1983 in presence of Shri Dube for the Bank and Shri J. M. Sood, Shri P. D. Bansal for the union. Shri Bhardwaj was also present for the union at the time of arguments and he too was heard.

2. The dispute which has been referred for adjudication to this Tribunal is as under:—

“Whether the action of the management of Punjab National Bank in relation to its M. I. Road Branch Jaipur, in stopping Shri K. C. Sharma, Clerk-cum-Typist from working as Steno-typist with effect from 14th September, 1978 is justified? If not to what relief the workman concerned entitled?”

3. A look at the terms of reference will make it clear that the reference is only with regard to the justification by the management in stopping to take work clerk-cum-typist as Steno-typist w.e.f. 14th September, 1978.

4. As per the statement of demand filed by the union who has espoused the cause of the worker, there was a permanent vacancy in the branch office of the Bank at M. I. Road, Jaipur of Steno-typist. Shri K. C. Sharma, the worker was working there as clerk-cum-typist and he was posted as Steno-typist against the permanent sanctioned vacancy. His post of clerk-cum-typist was filled in by appointing another person. Shri K. C. Sharma had appeared in a speed test in the branch office and it qualified but still the Senior Person-

nel Officers, Regional Manager's Office directed Shri Sharma to appear in speed test in his office on September 15, 1977 which was not justified. Thus the case of the union is that the appointment of Shri K. C. Sharma on the post of Steno-typist was permanent and as such the action of the Bank Management in stopping Shri K. C. Sharma from working as such from 14th September, 1978 was not justified.

5. In reply to the statement of demand the Bank has set up a case that Shri K. C. Sharma was only asked to work of steno-typist by the Manager, Branch Office, M. I. Road he was never appointed permanently after complying with the procedure prescribed for such appointments. Shri Sharma was called for trade test of steno-typist on the basis of application submitted by him in response to an internal circular issued by the Bank for selection of steno-typist but he did not appear in the aforesaid test. So far as the post conducted by the Branch Manager of his own accord is concerned, the case of the bank is that it was the primary test and on that basis Shri Sharma could not be approved for his posting as steno-typist. According to the bank merely because Shri Sharma was looking after the work of steno-typist, which arrangements have been made by the Branch Manager, M. I. Road, he does not become entitled to that post.

6. Shri K. S. Sharma has filed his own affidavit. There is no dispute that initially Shri K. C. Sharma was appointed on the post of clerk-cum-typist. He has admitted in his statement that no offer in writing for the post of Stenographer was given to him by the Bank and the Branch Manager has taken his test and took work from him for one and quarter years as Stenographer and he has been paid allowance for that period. He admits that the Regional Manager has taken his test and took work from him for to sanction allowance for the post of steno-typist. Under the Bipartite settlement 1966 there are Rules for entitlement to special allowance. Under para 5.2 of that settlement Rs. 40 p.m. is payable as special allowance to stenographers. It is a clerk-cum-typist who knows steno typing can be entitle for special allowance as steno-typist. Under para 5.6 of that settlement special allowances are not intended to be paid for casual or occasional performance or discharge of such duties/ functions. Under para 5.9 a workman will be entitled to a special allowance only so long as he is in charge of such work or the performance of such duties which attract such allowance. Again in para 5.10 of that settlement a workman who is asked to work temporarily in a post carrying a special allowance would be entitled to such a special allowance pro-rata for such period during which he occupies that post. There are no orders of Regional Manager, who is the competent authority to sanction such special allowance that special allowance was even sanctioned to Shri K. C. Sharma. It was the Branch Manager of the bank at M. I. Road, Jaipur who took the test, started taking work from Shri Sharma and he was paid allowance for the period he worked as such. He did not appear for the speed test in pursuance to the letter of the Senior Personnel Officer and he was never appointed as steno-typist. Therefore, if the management stopped taking work as steno-typist from Shri K. C. Sharma who was a clerk-cum-typist, Shri Sharma is not entitled to say that such stoppage by the management is not justified. A look at the terms of reference will make it clear that the reference is not that Shri Sharma was entitled to continue as a steno-typist and the reference is as to whether the action in stopping Shri K. C. Sharma from working as steno-typist is justified or not. In the absence of any orders of the competent authority appointing Shri Sharma as Steno-typist or sanctioning special allowance to him, it cannot be said that Shri Sharma was entitled to continue as such and therefore, the action of the management in stopping taking work from Shri Sharma as steno-typist cannot be said to be unjustified.

7. The other argument advanced on behalf of the union is that section 9-A of the Industrial Disputes Act, 1947 has been contravened but that section is hardly attracted in the facts and circumstances of this case. The special allowance was only paid to Shri Sharma which can be said to be officiating as such till such time as other suitable arrangements in accordance with the procedure prescribed were made. The allowance do not become a term of the condition of service of Shri Sharma and as such it cannot be said that any change in the condition of service in Shri Sharma was

effected when the management stopped Shri Sharma from working as steno-typist.

8. The worker is not entitled to any relief.

9. Let the Award be sent to the Central Government for publication under Section 17(1) of the I.D. Act, 1947.

MAHENDRA BHUSHAN SHARMA, Presiding Officer
[No. L-12012/144/79-D.II(A)/D.IV(A)]

नई दिल्ली, 17 जनवरी, 1985

का. आ. 481:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में मध्यस्थ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3 जनवरी, 1985 को प्राप्त हुआ था।

New Delhi, the 17th January, 1985

S.O. 481.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workmen, which was received by the Central Government on the 3rd January, 1985.

BEFORE SHRI S. M. DIKHALE (RETIRED) CHIEF
LABOUR COMMISSIONER (CENTRAL) ARBITRATOR,
UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES
ACT, 1947

Voluntary Reference
BETWEEN
The Calcutta Port Trust
AND
Their Workmen represented by the Calcutta Port Shramik Union, Calcutta.

Terms of Ref :

Whether the claim of the Licenced Drivers holding first class certificates attached to the five Haldia tugs, namely, Ahalya, Draupadi, Kunti, Tara and Mondodari having two engines, the capacity of each engine of which is 760 BHP, thus having a total of 1520 BHP for each of the tugs for the Wage Revision Committee's pay scale of Rs. 900—1200 is justified, inspite of the fact that there is Chief Engineer/Engineer Incharge posted in all the tugs ? If so, from what date ?

APPEARANCES :

- (1) Shri D. Palit, Labour Advisor and Industrial Relations Officer, Calcutta Port Trust, Calcutta.
- (2) Shri D. K. Mukherjee, Industrial Relations Officer, Calcutta Port Trust, Calcutta.
- (3) Shri Parbati Das, Jt. General Secretary, Calcutta Port Shramik Union, Calcutta.

AWARD

Shri D. Palit, Labour Advisor and Industrial Relations Officer Calcutta Port Trust and Shri Parbati Das, Jt. General Secretary, Calcutta Port Shramik Union entered into an agreement on the 11th May, 1984 voluntarily agreeing to refer the abovementioned dispute for my arbitration. The said agreement was received by the Government of India, Ministry of Labour, New Delhi on the 13th June, 1984, which the Government sent for publication in the Gazette of India vide their Order dated the 30th June, 1984. Thus the matter was referred to me for arbitration of the dispute under Section 10A of the I. D. Act, 1947.

I issued a notice at my earliest convenience i.e. on 17th August, 1984 to the Calcutta Port Shramik Union to file

its statement of claim within eight days from the date of receipt of my letter, endorsing a copy thereof to the Calcutta Port Trust asking them to file their written statement likewise. On 17th August 1984 itself I also issued a D.O. letter to the Chairman, Calcutta Port Trust informing him that I would visit Haldia Dock on 31st August, 1984 and requesting him to depute the concerned officers to be present during my visit. I also requested him to inform the Union accordingly so that Shri Parbati Das, Jt. Secretary of the Union was available during my visit to Haldia Dock. Accordingly I visited Haldia Dock on 31st August, 1984 and spent a few hours on Draupadi Tug to see for myself the working of the Engine Room. Sarvashri D. Palit, Labour Adviser and Industrial Relations Officer S. K. Asthana, Engineer Superintendent, R. Ramkumar, Manager Marine Operations, Haldia Dock Complex, D. K. Mukherjee, Industrial Relations Officer, Ajit Kumar Chakraborty, Vice-President, Calcutta Port Shramik Union and Parbati Das, Jt. General Secretary, Calcutta Port Shramik Union accompanied me to the tug during my visit. On the tug, Sarvashri M. N. Chakraborty, Chief Engineer, Ranjit Bhowmik, Inland Master also Secretary Calcutta Port Shramik Union and Ramendra Mohan Sinha, Licenced Driver were present amongst others. The matter was discussed at length with all of them. The C.P.S. Union handed-over its statement of claim to me during my visit to Haldia Dock on 31st August, 1984. The Calcutta Port Trust's written statement was received by me on 21st September, 1984.

The joint meeting was held in Bombay on the 19th October, 1984. Sarvashri D. Palit, Labour Adviser and Industrial Relations Officer and D. K. Mukherjee, Industrial Relations Officer representing Calcutta Port Trust and Parbati Das, Joint General Secretary of Calcutta Port Shramik Union representing workmen attended the meeting. The matter was discussed at great length. Shri P. Das made a strong plea for awarding the pay scale of Rs. 900—1200 to the Licenced Drivers of five Haldia Tugs with retrospective effect from 1-1-1974. Shri D. Palit of the Calcutta Port Trust vehemently opposed the claim of the Union on various grounds.

Shri Parbati Das, Jt. General Secretary of Calcutta Port Shramik Union raised the following contentions :

In terms of the Ministry of Shipping and Transport Government of India—Letter No. LWR-5/79 dated 21-6-1979 to the Chairman of the Calcutta Port Trust and in terms of the Calcutta Port Trustees Resolution No. 231 dated 24-7-1979 the "Licenced Drivers—Engine Room Drivers holding 1st Class Certificates or its equivalent and who are independent incharge of the Engine Room of Vessels having 1000 BHP and above or its equivalent in N.H.P. of Steam Vessels would be allowed the scale of Rs. 900—1200. The terms 'Incharge of the Engine Room of Vessels' refer to the official on board the Vessel who is in independent charge of the Engine Room of the Vessel."

In terms of Para 3.1 of the record of conclusion arrived at in the discussion held by the Government of India with the representatives of four Federations of Port and Dock Workers on 26/27-4-1979, it was also agreed by the Government of India that the Licence issued under the I.S.V. Act need not be insisted upon for allowing the scale of Rs. 900—1200 to Engine Drivers holding 1st Class Certificate and who are independent incharge of the Engine Room of the Vessels of 1000 BHP for allowing the scale of Rs. 900—1200.

The Calcutta Port Trust at the initial stage created the posts of 1st Class Drivers only in the five Haldia Tugs vide the Trustees Resolution No. 473 dated 30-3-1970. The five Haldia Tugs were designed in such a manner and the nature of duties and responsibilities attached to the posts of the Drivers were such that they were all along had to carry out the duty and responsibility as independent incharge of the Engine Room of these Vessels. These Vessels are required to ply between Calcutta and Haldia and even beyond Haldia, a distance of more than 60 Nautical miles. So considering the nature of duties and responsibilities that the Licenced Drivers would be required to take charge of the Engine Room of these Vessels, the Trustees modified their original proposal and created the posts of Licenced Drivers.

There are broadly two sections in each of these Vessels one is Navigational Section and the other is Engine Room

Section. In the Navigational Section there is no Navigating Officer posted on the vessel of 1000 BHP and above. Only the 1st Class Inland Master is posted to look after all the works in connection with the operations of the Navigational side and he is treated as overall incharge of the Navigational side of the vessel (though the Engineer posted on each such vessel is incharge of the entire vessel). Similarly, the Licensed Drivers are also required to function as independent incharge of the Engine Room of the same vessel. Of course, Engineer Incharge/Chief Engineer is also posted in each of the five Haldia tugs. But that does not effect the fact that the Licensed Drivers and 1st Class Inland Masters are working as independent incharge in their respective sections. This is because the Engineer Incharge/Chief Engineer by virtue of being incharge of the entire vessel looks after multifarious functions such as general administration, arrangement of procurement of materials fire fighting, repairing and overhauling, maintenance of discipline, general up keep of vessels, towing and assistance of vessels including communications to other vessels and making correspondence etc. Merely because the Engineer happens to belong to the same trade as Licensed Driver this does not reduce the responsibility of the Licensed Drivers in any way.

The Engineer Superintendent is the sole Incharge of the Engineering Section of the powered Vessels under the Calcutta Port Trust and is the expert and competent authority to decide as to who should be the Incharge of the Engine Room of the powered Vessels. The said Engineer Superintendent after considering the design of the Vessels and the nature of duties and responsibilities attached to the posts of Licensed Drivers came to a decision that the Licence Drivers of the Five Haldia Tugs are the Incharge of the Engine Room of these Vessels and recommended that they should be allowed the scale of Rs. 900—1200 as per Government decision. This decision was taken when the Union discussed the matter with the Chairman, Calcutta Port Trust on 28-8-1980 when the Director, Marine Department, Harbour Master (River) and Engineer Superintendent were also present among others.

So far as safety, security and operations etc. within the machineries space of these five Haldia Tugs are concerned, the Licensed Drivers have to function as independent Incharge of the Engine Room of these Vessels. During the operations of the Power Plants on Board these Vessels, specially in the busy water ways in the river Hooghly when these Vessels are required to ply between Calcutta and Haldia and beyond, that in case of emergency there is hardly any scope for the Licensed Drivers to leave the Engine Room to contact the Engineer Incharge or Chief Engineer who functions from his office on the upper deck of the vessel and may be busy at that time with other important matters. The Licensed Driver is to tackle the situation by taking decision on his own as Incharge of the Engine Room of the Vessel. If any accident is required to be avoided under the circumstances the Licensed Driver has to take his own decision on the spot independently in due discharge of his function as independent Incharge of the Engine Room of the Vessel.

While summing up the case the Joint General Secretary of the Union once again strongly pleaded that in view of the facts and circumstances stated above and considering the nature of duties carried out by the Licensed Drivers posted in five Haldia Tugs as independent incharge of Engine Room of these Vessel each of 1520 BHP and on the basis of favourable recommendation by the Engineer Superintendent, it is beyond doubt that the Licensed Drivers are independently Incharge of the Engine Room of the Vessels each of which is above 1000 BHP and as such the Licensed Drivers are entitled to the pay scale of Rs. 900—1200 with effect from 1-1-1974.

Shri D. Palit, Labour Adviser and Industrial Relations Officer, Calcutta Port and Trust while strongly opposing the Union's demand for grant of higher scale of Rs. 900—1200 with retrospective effect from 1-1-1974 to the Licensed Drivers of the five Haldia Tugs, made the following contentions :

A Wage Revision Committee was set up by the Government of India in the Ministry of Shipping and Transport by their Order No. PLO/94/74 dated 11-12-1974 to enquire into and recommend necessary revision in the existing wages of the Class III and Class IV employees in Major Ports of India. This Committee submitted its report to the Government on

24-1-1977. In para 10.20 of its report the Committee made certain recommendations in respect of the concerned workman. The entire report of the Wage Revision Committee was discussed by the Government with the four Federations of Port and Dock Workers and a settlement was signed on 1-7-1977. After this settlement, the recommendation of the Wage Revision Committee in respect of the pay scale of the concerned workmen were implemented with effect from 1-1-1974. Thereafter, a fresh settlement was signed by the Government of India, Ministry of Shipping and Transport with the four Federations of Port and Dock Workers on 4-1-1981 revising the pay scale of the concerned workmen with effect from 1-1-1980 and that settlement remained valid upto 31-12-1983. Uptill now the last settlement on this was signed by the Government of India, Ministry of Shipping and Transport with the four Federations of Port and Dock Workers on 11-4-1984 revising therein the Pay Scale with effect from 1-1-1984. The settlements are valid settlements and the last one is still subsisting between the Board of Trustees and Calcutta Port Shramik Union. In view of these facts the demand for further revision of the pay scale in respect of the concerned workmen is not tenable.

Following implementation of the recommendations of the Wage Revision Committee, the Government of India, Ministry of Shipping and Transport appointed on Anomaly Group vide their Order dated 26-4-1978, to consider the cases or anomalies or discrepancies arising as a result of implementation of the recommendations of the Wage Revision Committee and other allied matters. The Anomaly Group submitted its report on 31-1-1979. In its report, the Anomaly Group dealt with the case of the concerned workmen in Chapter 3.3. The recommendations of the Anomaly Group were discussed with the representatives of the four Federations of Port and Dock Workers on 14-4-1979, 18-4-1979, 26-4-1979 and 27-4-1979 and certain broad conclusions were arrived at regarding the implementation of the report. Thereafter, the decision of the Government of India, Ministry of Shipping and Transport on the recommendations of the Anomaly Group were communicated to the Chairman, Calcutta Port Trust among others vide their letter dated 21-6-1979. In that letter, it was inter alia communicated that in respect of Engine Drivers (Marine), the recommendations of the Anomaly Group would be implemented subject to the following :

"The scale of Rs. 900—1200, be allowed to the Licensed Drivers/Engineers incharge/Jr. Engineers/Engine Drivers holding 1st class certificate of its equivalent and who are independent incharge of the Engine Room of Vessel of 1000 BHP and above or its equivalent in I. H. P. of steam Vessels. The term 'incharge of the engine room of vessel' refers to the official on board the vessel who is in, independent charge of the engine room of the vessel."

On an analysis of the said directions of the Government of India, it will be clear that all the three conditions must compulsorily be fulfilled for the Licensed Drivers to be entitled to the higher scale of Rs. 900—1200. These are (1) the Licensed Driver must hold a first class certificate or its equivalent, (2) he must be independent incharge of the Engine Room and (3) he must work as such in the Engine Room of a Vessel of 1000 BHP and above. Anything short of these requirements will disentitle them from the said higher scale. The five tugs at Haldia, namely, Ahayala, Draupadi, Kunti, Tara and Mandodari are Inland Vessels and are registered under the Inland Vessels Act, 1977.

The present dispute relates to the pay scale of the Licensed Drivers possessing the certificate/licences under the Indian Vessels Act 1977. Section 22A of the I.V. Act deals with the provisions regarding grant of licences by the State Government to the masters and the Engine Drivers of the Inland Vessels. Under Section 22A (b) of the I.V. Act, it has been provided that the State Government may, if it thinks fit, grant to a person who is in possession of first class engine drivers certificate and who has, by virtue of such certificate served as an engine drivers of an Inland Vessel having engines of not less than 70 nominal horsepower for 5 years, a licence authorising him for a particular period to act as engineer of any Inland Vessel having engines of 170 N.H.P. The engine drivers with these licences are known as Licensed Drivers. It may be stated that 170 NHP is equal to 960 BHP. Due to this provision, an Inland Vessel only upto 960 BHP can make her voyage with a Licensed Driver. The fact remains that each of the Haldia tugs is of 1520 BHP, i.e. far above the capacity of 960 BHP and that is why a Chief Engineer/Engineer Incharge

has been posted on each Haldia tug and such Chief Engineer/Engineer Incharge is required to be physically present on the tugs for twenty four hours. It is, therefore, clear that the Licenced Drivers of the Haldia tugs cannot be given the sole responsibility of the Engine Room of the tugs of 1520 BHP because that will constitute a violation of the I.V. Act.

Statutorily speaking, the Chief Engineer/Engineer Incharge always remains the incharge of the Engine Room. The criteria, 'independent incharge' connotes that a Licenced Driver should not only be the incharge of the Engine Room of Vessel of 1000 BHP and above but at the same time he must function independently in discharging all his duties of which he is the incharge. The Licenced Drivers on Haldia tugs are admittedly dependent upon the Chief Engineer/Engineer Incharge for arrangement of procurement of materials, maintenance of discipline, general upkeep of the vessels including the Engine Room. The responsibility for the efficient operation and maintenance of the vessel as also for prevention of breakdown and accidents rests with the Chief Engineer/Engineer Incharge. He also guides and supervises the Licenced Driver during the annual overhaul and operations of the vessel and is physically present to give such guidance. About any defects in the Engine Room, the Chief Engineer/Engineer Incharge has to be told and thereafter the Chief Engineer/Engineer Incharge will requisition workshop services for removing the defects on the tugs and he has to be satisfied about the repairs. For the purpose of substituting a damaged part, the Chief Engineer/Engineer Incharge has to be consulted and then only the part can be replaced. With so much dependence on the part of the Licenced Drivers on Haldia tugs over the Chief Engineer/Engineer Incharge in respect of day to day discharge of duties, it cannot be claimed that they are 'independent incharge' of these tugs.

Similar disputes concerning the demand of First Class Engine Drivers employed on Dock tugs having engines of less than 100 NHP and the demand of First Class Engine Drivers employed on Harbour tugs having engines of 100 NHP and above in Bombay Port were referred to the arbitration of Shri F. H. Lala under Section 10A of the Industrial Disputes Act, 1947 and the said Arbitrator gave his award on 14-6-1982, rejecting the demands for revision of the pay scales of the concerned workmen. The demand raised by the Engine Drivers holding First Class Certificates of the five Haldia Tugs is of similar nature and as such it has no merit and likewise it should be rejected.

The Labour Adviser and Industrial Relations Officer, Calcutta Port Trust stated that as the claim of the concerned workmen is not tenable and justified, the question of giving retrospective effect to any such claim does not arise. Moreover the Union raised the demand for a pay scale of Rs. 900—1200 to Licenced Drivers of Haldia Tugs for the first time in September, 1979. As such, the Union has no justification for demanding the higher pay scale with retrospective effect from 1-1-1974. Secondly, the Government of India, Ministry of Shipping and Transport in its Order dated 21-6-1979 granting the Scale of Rs. 900—1200 to the Licenced Drivers holding first class certificate who are independent incharge of the Engine Room of Vessel of 1000 BHP and above, has not mentioned any specific date for implementation of the same. As such the Government's intention is not to give any retrospective effect and it should be prospective.

He, at the end reiterated that statutorily these Licenced Drivers cannot be treated as independent incharge of the Engine Room of Haldia tugs which are of 1520 BHP (Much higher than 960 BHP). Even on facts of the case they are not working as independent incharge of the Engine Room of these tugs as on every Haldia tug Chief Engineer/Engineer Incharge has been posted who is overall incharge of the vessel and the Licenced Drivers are expected to take guidance from the Chief Engineer/Engineer Incharge in respect of day to day discharge of duties. In view of these facts the concerned workmen are not entitled to the scale of pay of Rs. 900—1200 as they do not fulfill the requirements stipulated in the Government Order dated 21-6-1979.

I have carefully gone through the statements submitted by the parties and heard their arguments at length. I had also watched the working of the Licenced Drivers of one of the Haldia tugs, namely 'Draupadi' and discussed the matter with all the concerned officers and Union representatives who were present there.

In accordance with the orders contained in the letter No. LWR-5/79 dated 21-6-1979 of the Government of India, Ministry of Shipping and Transport, an Engine Driver is entitled to a pay scale of Rs. 900—1200 if he fulfills the following three conditions:

- (i) He should be Licenced Driver holding First Class Certificate,
- (ii) He should handle a Vessel of 1000 BHP and above, and
- (iii) He should be independent incharge of the Engine Room.

In the present case all the eight Engine Drivers are Licenced Drivers holding first class certificate. It is also a fact that each of the Haldia tugs is of 1520 BHP. Thus the above two conditions No. (i) and (ii) are fulfilled beyond doubt. However, Shri D. Palit, Labour Adviser and Industrial Relations Officer had made a passing remark stating that each tug have two engines and each engine is of 760 BHP, thereby implying that the condition No. (ii) is not fulfilled. But this argument is fallacious as the Government Order does not refer to an engine of 1000 BHP, but to a vessel of 1000 BHP. Each tug has two engines each of 160 BHP and both engines work simultaneously. As such each tug is of 1520 BHP. Therefore, there is no doubt that even this condition is fully fulfilled.

Regarding the above mentioned Condition No. (iii) I am fully convinced that the Licenced Drivers are independent incharge of the Engine Room in respect of all the Haldia tugs for all practical purposes. I am aware of the fact that there is Chief Engineer/Engineer Incharge posted in all the tugs. The Engineer has to perform multifarious duties mostly of general Administration and supervision as he is overall incharge of the entire vessel. He hardly gets any time to visit the Engine Room and he is usually tied up in his office on the upper deck. On the other hand, the Licenced Driver is on duty in the Engine Room for twenty four hours. For all practical purposes he functions as independent incharge of the Engine Room so far as safety, security and operations are concerned. He does very rarely take some help on advice of the Engineer Incharge. But that does not alter the actual nature of functioning of the Licenced Driver. In my opinion the Engineer is posted on each of the Haldia tugs for mainly two reasons namely, to have one senior officer as overall incharge of the entire vessel, and secondly to formally comply with the requirements of the Indian Vessel Act, 1977.

The Engineer Superintendent is the Incharge of the powered vessels of the Calcutta Port Trust and thus he is the competent authority to give a final decision in such matters. He is interesting to note that this Officer after considering the design of the vessels and the nature of duties and responsibilities attached to the posts of Licenced Drivers, finally decided that the Licenced Driver of the five Haldia tugs are functioning as independent incharge of the Engine Room of these vessels and strongly recommended that they should be allowed the pay scale of Rs. 900—1200. During my visit to the tug 'Draupadi' on 31-8-1984, I had discussed the matter with the Engineer Superintendent, Chief Engineer and other officers and Union representatives. Then also they more or less virtually agreed that the Licenced Drivers for all practical purposes do function as independent incharge of the Engine Room. Thus it will be seen that even the condition No. (iii) is fully complied with.

Shri D. Palit, representative of the Calcutta Port Trust has pointed out that in the light of Section 22A (b) of the Indian Vessel Act, 1977, Engine Driver holding a first class certificate can be issued a licence authorizing him for a particular period to act as Engineer of any Inland Vessel having engines 170 NHP (i.e. 960 BHP). Thus an Inland Vessel only upto 960 BHP can make her voyage with a Licenced Driver. But each of the Haldia Tugs is of 1520 BHP. As such Chief Engineer/Engineer Incharge has been posted on each tug, who is overall incharge of the vessel. Therefore the Licenced Drivers cannot be given the sole responsibility of the Engine Room of the tugs of 1520 BHP each as it will constitute a violation of the India Vessels Act, 1977.

I do not think there is much force in Shri Palit's argument. What is required is that there should be an Engineer

on every Indian Vessel. Section 22A (b) of the Indian Vessels Act, 1977 provides for giving a licence to certain type of Engine Driver authorising him to act as Engineer for a particular period of any Inland Vessel of 960 BHP. Obviously that Engine Driver cannot act as Engineer of any Inland Vessel of more than 960 BHP. In such case Engineer Incharge has to be posted. That is why Calcutta Port Trust has posted Chief Engineer/Engineer Incharge on every Haldia Tug. How does it effect the functioning of Licenced Driver as independent incharge of the Engine Room? The Engineer is overall incharge of the vessel and his posting satisfies the statutory requirements. At the same time the Licenced Driver can continue to function as independent incharge of the Engine Room. In practice, no doubt, he does function accordingly.

In fact, the Government also presumes that in certain cases the Licenced Drivers holding first class certificate do work as independent incharge of the Engine Room of a vessel of 1000 BHP and above. The Government's decision contained in its letter No. LBR-5/79 dated 21-6-1979 does indicate accordingly. It is not correct to say that the Government is not aware of the provisions of Inland Vessels Act, 1977. The Government presumes that there will be Engineer posted on such a vessel and at the same time the Licenced Driver will be working as independent incharge of the Engine Room of that vessel. The Government's presumption is absolutely correct in respect of the Licenced Drivers of Haldia Tugs.

The Port Trust's representative had also submitted that similar disputes concerning the demand of First Class Engine Drivers employed on Dock Tugs having engines of less than 100 NHP and the demand of First Class Engine Drivers employed on Harbour tugs having engines of 100 NHP and above in Bombay Port were referred to the arbitration of Shri F. H. Lala under Section 10A of the Industrial Disputes Act, 1947 and the said Arbitrator gave his award on 14-6-1982 rejecting the demands for revision of the pay scales of the concerned workmen. The award of Shri F. H. Lala, in my opinion is not relevant to the present dispute in respect of Haldia tugs. The tugs referred to in Bombay Port dispute are operating only within the harbour and dock system of Bombay Port which is a limited area. These tugs are also of lower capacity compared to Haldia tugs. The other significant difference is that Haldia Dock is far away from the Calcutta Dock system, and its tugs which are of higher capacity and are specially built and they are meant for movement between Calcutta Port and Haldia, a distance of more than 60 nautical miles and also beyond Haldia if necessary. They are not simple tugs, but they are fire-fighting-cum-salvage tugs. More so, in Bombay the tugs are operated in two shifts of 12 hours each, whereas Haldia tugs are required to work round the clock with a single set of crew who have to remain on duty for 24 hours during the period of working of the tugs. Therefore, the considerations which would normally apply to the tugs at Bombay harbour would not apply to the Haldia tugs of Calcutta Port. Thus, the award of Shri F. H. Lala will not therefore be relevant in the present dispute.

It is, therefore, quite clear that the claim of the Licenced Drivers holding First Class Certificates attached to the five Haldia tugs, namely, Ahalya, Draupadi, Kunti, Tara and Mandodari, having two engines, the capacity of each engine of which is 760 BHP, thus having a total of 1520 BHP for each of the tugs, for the Wage Revision Committee's Pay Scale of Rs. 900—1200 is fully justified, inspite of the fact that there is Chief Engineer/Engineer Incharge posted in all the tugs.

Regarding the date from which the payscale of Rs. 900—1200 is to be given effect to, I strongly feel that in all fairness this pay scale should be granted to the Licenced Drivers with retrospective effect from 1-1-1974. As a matter of fact, in a majority cases of anomalies the Government of India's decisions on the recommendations of the Anomaly Group were given effect to from 1-1-1974. In the case of First Class Inland Masters of the Haldia Tugs, the Government sanctioned special allowance without mentioning in their order any specific date for giving effect to. Even then the special allowance was granted with effect from 1-1-1974. Thus the Licenced Drivers of Haldia tugs are entitled to the pay scale of Rs. 900—1200 with effect from 1-1-1974.

I award accordingly.

S. M. DIKHALE, Arbitrator
[No. L-32025/1/84-D.IV (A)]

28, Silver Dak,
60-B, Chimbai Road,
Bombay-400 050.

Dated : 1st January, 1985.

का. आ. 482:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, कॉर्पोरेशन बैंक, मैंगलूर-1 के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3 जनवरी, 1985 को प्राप्त हुआ था।

S.O. 482.—In pursuance of section 17 of the industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bangalore in the industrial dispute between the employers in relation to the management of Corporation Bank, Mangalore-I and their workmen, which was received by the Central Government on the 3rd January, 1984.

BEFORE THE INDUSTRIAL TRIBUNAL IN KARNATAKA,
BANGALORE

Dated this the 27th day of December, 1984

PRESENT :

Sri R. Ramakrishna, B.A., B.L., Presiding Officer.
Central Reference No. 7 of 1978

I PARTY :

Workman represented by the General Secretary, Corporation Bank Employees' Guild, 'Anuradha Building,'
Anand Rao Circle, Bangalore-560 009
Vs.

II PARTY :

The Chairman and Managing Director, Corporation Bank, Head Office, Mangala Devi Temple Road, Mangalore-1.

APPEARANCES :

For the I Party—Sri S. Krishnatah, Advocate, Bangalore.
For the II Party—Sri Tukaram S. Pai, Advocate, Bangalore.

REFERENCE

(Government Order No. L-12011/94/78-D.II.A dated 27-9-1978)

AWARD

The Government of India in exercise of the powers conferred by Section 7-A read with clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, hereinafter referred to as an Act, have referred this matter for adjudication on the Schedule given hereunder :—

SCHEDULE

"Whether the action of the management of the Corporation Bank Ltd., in not giving opportunity to Shri K. K. Kini, Senior most clerk in the Avenue Road Branch of the Bank at Bangalore to perform supervisory duties vice Supervisory Staff proceeding on leave since February, 1977 is justified? If not, to what relief is the workman concerned entitled?"

2. Pursuant to this reference, the dispute is registered and notices are issued to the parties who have filed their statements. While the dispute was in progress, the II Party have filed an application and an affidavit on 3-7-82 under Order

XVI Rule 17, read with Section 151, C.P.C. to accord permission to amend the cause title, as the Corporation Bank Limited, as originally stood has been nationalised by the Government of India and the entire assets and liabilities have been taken over. This amendment was allowed and the name of the II Party has been substituted as mentioned in the cause title. In view of this amendment the II Party have raised some more contentions in their objection statement filed on 27-9-82.

3. The claim statement filed by the I Party, in brief is as follows :

The I Party workman was the General Secretary of the Corporation Bank Employees' Guild and was the senior-most Clerk at the relevant time and by virtue of his seniority he was entitled to be entrusted with temporary supervisory duties whenever officers/Special Assistants go on leave as per the Circular No. 21/1973, dated 9-4-73 and 22/1973 dated 14-4-73 issued by the II Party. This has been observed all over the branches including the II Party branch till the end of January 1977 and it was abruptly stopped in an arbitrary manner.

4. It is further contended that since February 1977 the II Party Bank did not entrust the work to the I Party workman and a representation was made in that behalf drawing the attention of the Banks to the above circulars. As no reply was received an industrial dispute was raised on 23-6-78 with regard to the denial of temporary supervisory duties on the ground that such denial was unjustified and also victimisation and unfair labour practice. Due to untenable objections of the II Party the matter was taken up in the conciliation which was also failed, hence the Government have referred this matter for adjudication.

5. It is further contended that the customs, usage and practice in all the branches of the II Party Bank are that whenever Officers/Special Assistants go on leave, the senior most clerk is entrusted with the temporary supervisory duties and he is paid the applicable allowance for discharging the onerous temporary supervisory duties. Though this practice was prevailing in the II Party branch where the I Party workman was also doing but from February 1977 it was stopped as the I Party workman happens to be the General Secretary of the Guild and the withdrawal of this custom is hit by Section 9A read with Schedule IV of the Act.

6. It is further contended that the entrustment of temporary supervisory duties is continued in all the branches except this branch which resulted the monetary loss to the I Party workman. It is further contended that one Mr. Shenoy who was the Branch Manager at the relevant time had deprived the benefit and when the matter was taken up to the Regional Manager, the same person who was the Regional Manager due to the promotion and hence he filed an one sided report adverse to the interest of the I Party workman. On account of this denial the I Party workman is losing substantial amount every month ranging from Rs. 250 to Rs. 340 per month.

7. It is further contended that for the reasons stated above the II Party Bank is unjustified in not giving an opportunity to the I Party workman to perform temporary supervisory duties, hence the management should be directed to entrust the temporary supervisory duties whenever supervisory staff proceed on leave and also to direct the management for making payment of the arrears from February, 1977 which was legitimately due to the I Party workman.

8. The II Party have filed two objection statements, one on 27-11-78 and another on 27-9-82. The second statement was filed after this Tribunal allowed them to amend the cause title in view of the nationalisation of Corporation Bank.

9. It is contended in the objection statement dated 22-11-78 that the present dispute is not an industrial dispute vene on merits and hence liable to be rejected, for more than one reason. The General Secretary of the Guild has no locus standi to raise the dispute as it is necessary that in order to convert an individual dispute into an industrial dispute, it should be supported by the majority of the workmen.

There is no record to show that the above Guild had passed any resolution or authorised the General Secretary to raise an industrial dispute and in terms of a settlement dated 6-8-75 entered into between the Bank and the Corporation Bank Employees' Union, Bombay, this Bombay Union is the sole bargaining agent which has got majority of the workmen on its roll whereas this Guild being the minority union has no locus standi to raise the dispute affecting the conditions of service of the workmen of the Bank all over India, hence the present reference is bad in law and this Hon'ble Tribunal has no jurisdiction to adjudicate upon this dispute.

10. It is further contended that Circular No. 22/73 has clearly spelt out that whenever any Accountant goes on leave, temporary entrustment of supervisory duties should be only with the Manager's opinion that such entrustment is called for. Therefore, the entrustment of supervisory staff duties to the senior-most clerk is made during leave vacancy only with the Manager's opinion that such entrustment is called for, as he is the Personnel on the spot to determine about such entrustment of duties. Under the provisions of the Bi-partite Settlement dated 19-10-1966 no obligation is cast on the Bank to entrust supervisory duties whenever supervisory staff proceed on leave. Such entrustment of supervisory duties under the provisions of the said settlement is left to the discretion of the Management and the workman, on the other hand, is entitled for officiating allowance only if he is asked to officiate in a post in a higher cadre for more than seven days under the provisions of the above settlement to which the I party Guild was affiliated at the relevant time. When this is the settlement, the II Party Bank does pay such officiating allowance even if a workman is asked to officiate in a post in a higher cadre even on a single day. Thus, the General Secretary taking advantage of this generous gesture has raised this dispute with a view to deriving more benefits without taking into consideration the provisions contained in the above settlement. It is further contended that the Bi-partite Settlement would clearly reveal that the intention of the parties to the settlement in making a provision for payment of such allowance only in case a workman is asked to officiate in a post in a higher cadre for more than seven days with a view to reduce the financial burden on account of such entrustment. It is further contended that such entrustment is purely left to the discretion of the Management as the word employer in the above settlement is "Only in case if he is asked to officiate in a post in a higher cadre for more than seven days". They have further contended that it is for the Manager to decide whether to entrust or not such supervisory duties in terms of instructions of Circular No. 22/73 because he is the man on the spot to make assessment regarding the workload, as such the workman cannot claim such entrustment as a matter of right. Hence the I Party is not insistent in making this demand and hence the reference is liable to be rejected.

11. The objections filed on 27-9-82 reiterated the objections filed earlier except a contention that the act of the II Party does not tantamount to victimisation and in view of the change in the constitution of the II Party the I Party workman cannot maintain his claim on Corporation Bank Ltd., or the Chairman which has become defunct.

12. When the dispute was sent down for evidence on the points of reference, the II Party has filed a draft issues consisting of ten issues for adjudication and learned predecessor has rejected the draft issues by a considered order dated 4-10-1980 as all the draft issues covered by the point of dispute. Now the issues that arise for determination are :

(1) Whether the II Party is not giving the opportunity to Sri K K. Kini, to perform supervisory duties when supervisory staff proceeding on leave since February 1977 is justified?

(2) What Order ?

Issue No. 1

13. To justify the reference the I Party workman examined himself WW-1 and got marked the documents Exts W-1 to W-3 and the II Party submitted that they have no oral evidence and hence the arguments heard on the materials available on record.

14. The I Party workman has placed strong grievance on the Circular No. 22/73 marked as Ext. W-1. He deposed in his oral evidence that he joined service in the year 1967 and transferred to Sultanpet Branch, Bangalore and in 1977 he became the senior most clerk. It is this further evidence that in that branch during 1977 there were 7 officers and 2 special assistants were working and whenever these categories of officers go on leave, the senior most clerk will be entrusted with the temporary supervisory duties and he has been denied from January, 1977 onwards though the officers were going on leave. He has further deposed that such work was in vogue in all the branches and only in this branch it was denied to him and he is the General Secretary of the Guild. He has further deposed that it is not possible to carry on the work in the branch in the absence of 7 officials without in-charge arrangement and hence he has given representations which were not considered. It is his further evidence that if he was put in-charge he would have got more enrolment and from January 1977 to May, 1982 he was not put in-charge and the Manager wanted him to work in the absence of special assistant but without claiming over-time wages for the extra-work done. Since he has refused to do so, he has not been placed in-charge.

15. In the cross-examination of this witness, it is elicited by the II Party that he had not been denied the benefit of supervisory work till January 1977 by the Manager Sri B. S. Shenoy and over-time wages were also paid if he has worked over-time and there is no record to show that he has been refused to give that work from January 1977 onwards. He has admitted that he has not mentioned the reason for refusal of giving him supervisory work in his claim statement that the Manager refused to give him work because he refused to do over-time without over-time wages and he has not mentioned this reason anywhere so far. It is further elicited that the procedure for clerks to officiate as special assistants or special assistants as officers is prescribed as per the Code of Conduct and Discipline in the settlement dated 6-8-79 and in the Bi-partite settlement. He is able to say that the work of the Bank suffered on account of not placing him in-charge of supervisory work in the absence of the officials. It is further elicited that the routine work in the Bank was going on and he has not reported to the Manager about the work having suffered in the Bank by not placing him in-charge. He has further stated that one B.S. Shenoy became the Regional Manager in the middle of 1977 and K. L. Kini became the Manager and continued till about 1979 and after him one K. Srinivasan became the Manager till January 1982 and after him one K. Achyuta Pai became the Manager. After Mr. Achyuta became the Manager he started giving him temporary supervisory duties in the place of officers and he gave such opportunity to him and others and till then not only himself but also others were not given chance to act as an officer in the place of those who were absent and during 1983 when Mr. Achyuta Pai started giving them supervisory work Mr. Shenoy was the Regional Manager.

16. The learned counsel for the II Party Sri G. V. Thimmaiah has submitted that Ext. W-1 does not give a mandate to the Manager that a senior-most clerk shall be entrusted with the duties of special assistant whenever special assistant goes on leave or the said special assistant asked to act as an accountant when the accountant is went on leave but it has given a discretionary power to the Manager to use this mode of adjustment in the work if he is of the opinion that the volume of work requires to make this arrangement. The learned counsel further submitted that it is not the case of the I Party that by denying him the other persons have been entrusted with the duties of the special assistant and he has also not made out any mala fides in denying this officiating work by entrusting the same to any other clerk of this category and since entrustment depends mostly on the exigencies of work and when there is no such exigencies the Manager is not wanted to entrust the duties which naturally a financial burden to the II Party. The learned counsel further submitted that such entrustment was not given to anybody from 1977 till 1982 as the exigencies of work do not warranted the entrustment of work.

17. Before considering the submission of the learned counsel, it is necessary to reproduce the circular No. 22/73 as under :—

Ref. Est-497/73

Establishment Department

Dated: 14th April, 1973

Circular No. 22 of 1973

Chaitra 24, 1895.

Subject : Temporary entrustment of duties of Accountant and Special Assistants.

In this connection, the Branches are informed that whenever any Accountant goes on leave and if in the opinion of the Manager the duties of an Accountant should be temporarily entrusted to the employees of the branch, the basis for such entrustment should be as follows :—

1. Special Assistant of the Branch may be asked to act as Accountant and in branches where there are more than one Special Assistant the senior-most among them may be asked to act as Accountant and for the period he acts as Accountant, special allowance payable should be at the rate applicable to the Accountant.

2. In the place of a Special Assistant who is asked to act as an Accountant, the senior-most clerk may be entrusted with the duties of Special Assistant if the Manager is of the opinion that such entrustment is called for and special allowance at the rate applicable to Special Assistant should be paid.

Branches are requested to note the above, whenever temporary entrustment of the duties of Accountant or Special Assistant is offered to the employees.

Sd/-U. N. Nayak,

Superintendent;

Establishment Department

18. On a plain reading of this circular the entrustment to act as an Accountant by a Special Assistant is made mandatory and to act as a Special Assistant by the senior-most clerk is a discretionary. Since the I Party has not made out any case that ignoring his senior-most capacity the work was entrusted to other clerks and also he has not shown any mala fides on the part of the II Party in denying this entrustment from January 1977 onwards. It is evident that he has not made out a case that this denial of entrustment is actuated with mala fides to deprive him any monetary benefit. Hence I hold this issue in the affirmative. Hence I proceed to pass the following award accordingly :—

AWARD

The action of the management of the Corporation Bank Ltd. in not giving opportunity to Shri K. K. Kini, Senior-most Clerk in the Avenue Road Branch of the Bank at Bangalore to perform supervisory duties vice Supervisory Staff proceeding on leave since February, 1977 is justified.

(Dictated to the Stenographer, transcribed and typed by him and corrected by me).

R. RAMAKRISHNA, Presiding Officer

[No. L-12011/94/78-D.II(A)/D.IV(A)]

K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 16 जनवरी, 1985

का. आ. 483:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, तेल और प्राकृतिक गैस आयोग, वडोदा के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनबंद में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 1, बम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10 जनवरी, 1985 को प्राप्त हुआ था।

New Delhi, the 16th January, 1985

S.O. 483.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Oil and Natural Gas Commission, Baroda and their workmen, which was received by the Central Government on the 10th January, 1985.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1 BOMBAY
Reference No. CGIT-4 of 1983

PARTIES :

Employers in relation to the management of Oil and
Natural Gas Commission, Baroda.

AND

Their workmen

APPEARANCES :

For the Management—Mr. R. S. Pai, Advocate.

For the workmen—Mr. Dudhia, Advocate.

STATE : Gujarat : INDUSTRY : Oil Fields

Bombay, dated the 26th day of November, 1984

AWARD

In this reference under Section 10.1(d) of the Industrial Disputes Act, the question involved is fixation of seniority of Shri Nair and his promotion to the post of Senior Crane Operator. Such a demand came to be raised by the union and hence the question is referred with the additional aspect as to, if this demand is justified, what is the relief to which Nair would be entitled.

2. The statement filed by the union, ONGC Employees Association, Ankleshwar, hereinafter referred to as the union, contended that Nair was appointed as a Khalasi in the ONGC organisation at Cambay on the 20th of October 1961. He came to be selected for the post of Rigger in the selection held in January 1966 and was appointed as such, having been selected as a rigger in the Cambay region by order dated 5th March, 1966. The selection made by the committee was according to merits. In the order dated 25th November, 1966 by which Nair and others were appointed, actually 8 candidates out of 14 of which were selected were given appointment orders. It appears that thereafter in respect of some of the candidates who were selected were not appointed. It appears that these were ineligible for appointment as their confidential reports were not satisfactory at the time when the selection came to be made. As a result of the subsequent confidential reports, these persons were later considered to be fit and in order to make room for them, Nair was reverted. His appointment as Rigger came to be terminated with effect from 27th of July, 1966.

3. Mr. Nair then filed a suit in the City Civil Court, Ahmedabad, being civil suit No. 2366 of 1972. A decree was passed in that suit on the 24th of December 1976 holding that he order terminating the appointment of Shri Nair as Rigger and reverting him as a Khalashi, dated 27th July 1966 was null and void. That Nair continued to be a Rigger in spite of that order, and there were certain other reliefs which were granted and orders passed, with which in the present case, we are not concerned.

4. It appears that this judgement of the Civil Court Ahmedabad was acquiesced in and the ONGC gave him salary and wages as a Rigger for all that period, but continued to treat him first as a Khalashi and then as a Rigger. His seniority was then refixed in 1973 at serial No. 12A in the gradation list of riggers circulated for the year 1976. Shri Nair made representation claiming that he should have been promoted as a Junior Crane Operator, as his juniors in the cadre of Riggers had already been promoted as Junior Crane Operator and further, to the post of Senior Crane Operator. These representations did not succeed and it was only on 28th of March, 1980 that Shri Nair was promoted to the post of Junior Crane Operator. His grievance, therefore, is that he should have been promoted, as the

order terminating his appointment as a Rigger has been struck down and was void, first as a Junior Crane Operator when ordinarily he would have been promoted as Junior Crane Operator. Junior Crane Operators are promoted from the cadre of Riggers and Senior Crane Operator in turn are promoted from the cadre of Junior Crane Operators. His case, therefore, was that had he not been illegally reverted as Khalasi and had he continued as a Rigger, which would have been his normal position, then he would have been a Junior Crane Operator in due course about the same time as his juniors and before them and would in turn have been promoted as a Senior Crane Operator. Consequently, he claims to be considered as deemed to have been promoted as a Junior Crane Operator and thereafter in the normal course as a Senior Crane Operator.

5. The written statement of the ONGC goes to say that in 1965-66 when the selections were made anticipated vacancies were 14. However, in 1966-67, the vacancies were reduced to only 10. Shri Nair in the selection list was at Sl. No. 14 and he could not have been then appointed. That some of the persons claimed by Shri Nair as his juniors were actually senior to him in the selection and Nair was not senior to them. The ONGC did not dispute the decision which was given by the City Civil Court, Ahmedabad, but it contended that the decision of the Ahmedabad court was final and was a complete relief and no other relief or further claim could be made or can be adjudicated by this Tribunal. As regards his claim that he should have been promoted to the post of Junior Grade Operator, it was contended that selection to the post of a Junior Crane Operator is made on the basis of seniority-cum-fitness, that Nair's turn for promotion came after the requisite service was put in by him as Rigger to which he was promoted in 1981. Since 6th of April, 1981, Shri Nair has been actually holding the post of Junior Crane Operator. The claim of refixation of the seniority of Junior Crane Operator on the basis of the judgement of the City Civil Court, Ahmedabad it was claimed was not justified.

6. So far as the Senior Crane Operators are concerned, it was pointed out that such vacancies are filled in by promotion ordinarily on seniority-cum-fitness, after the workman has worked for a minimum period of six years as Junior Crane Operator and his annual confidential reports are satisfactory. Since Shri Nair has not worked as Junior Crane Operator apparently according to the ONGC for a period of six years therefore he could not be considered or promoted to the post of Senior Crane Operator. He does not satisfy the criteria laid down above and therefore there can be no question of promoting him to the post of Senior Crane Operator. It was also pointed out that persons senior to Shri Nair are not parties to this reference and their seniority can not be displaced, nor can they be disturbed which would be the consequences if the reliefs claimed for Shri Nair by the union are granted. It also pointed out that back wages to Shri Nair were granted by the City Civil Court decree for a period of three years prior to the date of the suit and that therefore from 24th of July 1966 to 3rd of March 1970, he was treated as a Khalashi and thereafter as a Rigger from 1970 or three years before the institution of the suit. It also pointed out that the rules for recruitment and promotion have undergone a change subsequently and different criteria have been prescribed than what were prevailing before.

7. Further new regulations were promulgated in 1974 for recruitment of Junior Crane Operators, which laid down a criteria of 5 years experience as a Mobile Crane Operator and possession of valid driving licence of a heavy transport vehicle. The corporation therefore, pointed out that it is only after Shri Nair satisfied these conditions and tests which were introduced by the 1974 regulations that he could be considered and appointed as a Junior Crane Operator.

8. Both sides produced certain documents and an affidavit was filed by Shri Nair. On behalf of the ONGC, one Shri Kamath was examined. That is all the evidence adduced by the parties.

9. The ONGC produced a gradation list of the year 1973 of Riggers and a seniority list of Senior Crane Operators for the year 1979 as on 1-4-1979. It also produced the rules and regulations governing the recruitment and promotions. A provisional seniority list of Junior Crane Operators as on 1-7-1973 was also produced. Amongst other documents pro-

Vasudeo Gandhi, even if he took charge of his post before both of them, as both Shri Barot and Shri Gandhi were above him in the merit list of the selection committee. The same however does not apply in the case of persons at Sl. Nos. 21, 22 and 23, in the gradation list of Junior Crane Operators. The next person at Sl. No. 24 Sohanlal has been appointed a Rigger on the 10th of November, 1966 and a Junior Crane Operator on 27th of December, 1968. For the purpose of consideration of the case, of Shri Nair for the post of Junior Crane Operator, we may leave out persons at Sl. Nos. 21—23 as their appointments to the posts of Junior Crane Operators came subsequent to Shri Sohanlal. In other words, therefore, if Shri Sohanlal who was junior even according to the Commission to Nair and was not above Nair in the selection list got promoted on 27th January, 1968, Nair would have been in routine course promoted before Sohanlal and at least on 27th Jan., 1968, Sohanlal indeed does not appear to have been selected by the selection committee. The relevant date for purposes of consideration of Shri Nair's position as Junior Crane Operator therefore would be 27th of December, 1968 and no other. That is the earliest when any person junior to Shri Nair as Rigger has been appointed to the post of Junior Crane Operator.

19. The above examination of the gradation list also goes to show that most Riggers after experience of 2 years came to be appointed as Junior Crane Operators. Shri Nair would therefore, have been appointed as Junior Crane Operator two years after his appointment as Rigger on 5th March, 1966 and in any event at about the same time and before Shri Sohanlal was appointed.

20. In view of the situation to which the learned Civil Judge referred in the suit and the circumstances of Shri Nair's termination of appointment as Rigger, it is really intriguing to see how Shri Nair's reversion was sought to be justified for the Commission, when as many as 9 other persons Junior to Nair from Sl. Nos. 21 to 29 came to be appointed as Riggers after Nair and were continued apparently and even promoted to the post of Junior Crane Operators, when Shri Nair was reverted on the ground that there was no vacancy of the post of Rigger available to which he could be appointed. None of these figures in the selection committee select list to which I have already made reference and produced by the Commission. They do not appear to be those who were initially not found to be fit, but subsequently introduced in the post of Riggers and Shri Nair was required to make room for them. However any further investigation in that behalf for this reference is not material. It only goes to show how the contentions taken by the Commission are totally unjustified to say that Shri Nair could not be considered as Junior Crane Operator and was not eligible for promotion as Junior Crane Operator in 1968 and only in 1980 when he was promoted and the contention that he could not be promoted from the post of Khalasi to the post of Rigger, as rules for promotion had undergone a change. The further contention that Nair not being a Rigger could not be considered for promotion as a Junior Crane Operator, in the face of what I have pointed out above, and the finding and declaration of the Court that Shri Nair "should be deemed to be a Rigger all along and his seniority as well as pay, be adjusted and paid" would only mean that Shri Nair continued to be a Rigger all the time. Consequently, he would be due and eligible to be promoted after two years and in any event as stated above on the 27th of December, 1968 to the post of Junior Crane Operator before Shri Sohanlal.

21. The Union's claim however does not rest with the decision as to what would have been Shri Nair's position and the promotion to the post of Junior Crane Operator. They claim promotion to the post of Senior Crane Operator and the terms of reference also refer to that demand. The question, therefore, is whether Shri Nair can be deemed to have been promoted to the post of Senior Crane Operator. I have pointed out above that from the post of Rigger to the post of Junior Crane Operator, the only requirement was seniority-cum-fitness, plus service as Rigger for a period of two years. If the observation in the indgement that Shri Nair continued to operate as Rigger inspite of the order of his reversion dated 27th July, 1966 till the institution of suit in 1972 is correct then it must be held that Shri Nair had all the qualifications required for being considered as Junior Crane Operator. He had two years' experience as Rigger, was senior and it is not correct to say that he was not

ht. His promotion to the post of Junior Crane Operator would therefore be automatic and without any difficulty.

22. I am however, unable to see how he could be deemed to be promoted and should be held even as promoted to the post of Senior Crane Operator. On behalf of the union it was contended that the union introduced and deemed required by the judgement of the Civil Court must be extended not only to the post of Junior Crane Operator, but it must also be further held that having put in 4 years or qualifying service, which would be necessary in case of Junior Crane Operators, and Shri Nair being senior would automatically travel to the promotional post of Senior Crane Operator. I am unable to accede to this contention. In other words, what the union wants me to hold is that the deemed promotion of Shri Nair to the post of Junior Crane Operator would be adequate substitute for actual experience of work as Junior Crane Operator. The promotion to the post of a Senior Crane Operator requires experience and service as a qualifying service as Junior Crane Operator. It cannot be national service. The fact of experience can not be wished away and it cannot be said that whosoever is a deemed Junior Crane Operator, though not having worked actually as a Crane Operator, he should be deemed to have worked as a Crane Operator and as having acquired the necessary qualifying experience. In other words, the fiction can not be allowed to travel beyond a certain stage and acquire even the characteristic of a physical fact which in the circumstance it can never be. Though, therefore, Shri Nair would be entitled to be considered as a Junior Crane Operator and his seniority fixed above Shri Sohanlal in accordance of above, and though he would be entitled to salary and wages as a Junior Crane Operator from 27th of December, 1968 as also his increments in that grade, I am unable to think that he is entitled to any further relief of being declared as deemed promotee to the post of Senior Crane Operator.

23. However, even if this is so it must be pointed that he has in fact been working as a Junior Crane Operator since 1980. But for the unjustified and illegal act of the ONGC, he would have competed for selection to the post of Senior Crane Operator in due course. He has been denied that opportunity and that chance for no fault of his. Bearing in mind all these circumstances and the fact that this difficulty and adversity was forced upon Shri Nair by the ONGC itself, it will consider him when the occasion arises next for promotion to the post of Senior Crane Operator. He might have become eligible and would have been considered had he had the actual physical experience of having worked as Junior Crane Operator from 1968 after the requisite period of six years.

24. I would therefore hold that the demand of the Employees' Association for fixation of Shri Nair on par with his juniors is justified. It's demand for his promotion to the post of Junior Crane Operator is also justified. But, the Association's demand for his promotion to the post of Senior Crane Operator is not justified. In that view, Shri Nair would be entitled to salary and wages and allowances, including increments as of Junior Crane Operator from 27th December, 1968 till date. Though he would not be entitled to the relief and post of the Senior Crane Operator, he is entitled to be considered for that post hereafter.

25. I Award accordingly.

R. D. TULPUIE, Presiding Officer
[No. L-30025(2)/82-D.III (B)]

का. आ. 484.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स आन्ध्र प्रदेश माईनिंग कारपोरेशन की बायरा-इट्स खाने, डाकघर, मंगमपीट जिला कुडापह के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9 जनवरी, 1985 को प्राप्त हुआ था।

S.O. 484.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the annexure in the industrial dispute between the employers in relation to the management of Barytes Mines of M/s. Andhra Pradesh Mining Corporation, P.O. Mangampet Distt. Cuddapah and their workmen, which was received by the Central Government on the 9th January, 1985.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

PRESENT :

Sri J. Venugopala Rao, Industrial Tribunal (Central)
Industrial Dispute No. 25 of 1984

BETWEEN

The Workmen of Mangampet Barytes Mines of M/s.
Andhra Pradesh Mining Corporation, Mangampet,
Cuddapah Distt.;

AND

The Management of Mangampet Barytes Mines of M/s.
Andhra Pradesh Mining Corporation, Mangampet,
Cuddapah District.

APPEARANCES :

None present on both sides.

AWARD

The Government of India, Ministry of Labour by its Order No. L-29012/61/83-D.III (B) dated 3-4-1984 referred the following dispute under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 between the Management of Mangampet Barytes Mines of M/s. A. P. Mining Corporation, Mangampet, Cuddapah District and its workmen, for adjudication to this Tribunal :—

“Whether the action of the Management of Mangampet Barytes Mines of Andhra Pradesh Mining Corporation in dismissing Shri G. Ramgaiah, Blasting Helper, from service with effect from 19-5-1983, is justified? If not, to what relief is the workman concerned entitled?”

2. This reference was registered as Industrial Dispute No. 25 of 1984 and notices were issued to both the parties and were acknowledged by both parties.

3. None of the parties appeared before this Tribunal in spite of several adjournments on 11-5-1984, 29-5-84, 8-6-84, 22-6-84, 6-7-84, 20-7-84, 16-8-84, 14-9-84, 5-10-84, 30-10-84, 17-11-84, 26-11-84 and 18-12-1984. Hence it is clear that both the parties are not interested to have adjudication upon the dispute. Hence the reference is answered as terminated stating that it is dismissed as not prosecuted by the parties concerned.

Dictated to the Stenographer, transcribed by him corrected by me and given under my hand and the seal of this Tribunal, this, the 18th day of December, 1984.

Sd/-

Industrial Tribunal

Appendix of Evidence

NIL

J. VENUGOPALA RAO, Industrial Tribunal
[No. L-29012/61/83-D.III(B)]

नई दिल्ली, 19 जनवरी, 1985

का. जा. 485.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मिसर्स आन्ध्र प्रदेश माइनिंग कारपोरेशन की मंगमपेट बायराइट्स खानें, डाकघर मंगमपेट, जिला कुड्डापह के प्रबंध-तंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार

औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9 जनवरी, 1985 को प्राप्त हुआ था।

New Delhi, the 19th January, 1985

S.O. 485.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Mangampet Barytes Mines of M/s. Andhra Pradesh Mining Corporation, P.O. Mangampet, Cuddapah District and their workmen, which was received by the Central Government on the 9th January, 1985.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

PRESENT :

Sri J. Venugopala Rao, Industrial Tribunal (Central).
Industrial Dispute No. 63 of 1984

BETWEEN

The workmen of Mangampet Barytes Mines of M/s.
Andhra Pradesh Mining Corporation, Post Office
Mangampet, Kudur Taluq, Cuddapah (A.P.);

AND

The Management of M/s. Mangampet Barytes Mines of
M/s. Andhra Pradesh Mining Corporation, Post
Office Mangampet, Kudur Taluq, Cuddapah (A.P.).

APPEARANCES :

None appeared on both sides.

AWARD

The Government of India, Ministry of Labour by its Order No. L-43012(18)/83-D.III(B), dated 18-5-1984 referred the following dispute under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 between the Management of Mangampet Barytes Mines of Messrs Andhra Pradesh Mining Corporation, P.O. Mangampet, Kudur Taluq, Cuddapah District and its workmen for adjudication to this Tribunal :

“Whether the management of Mangampet Barytes Mines of Andhra Pradesh Mining Corporation are justified in dismissing Shri B. Krishna Reddy, a piece-rated worker, from service with effect from 4-5-83? If not, to what relief is the workman concerned entitled?”

2. This reference was registered as Industrial Dispute No. 63 of 1984 and notices were issued to both the parties and notices were acknowledged by both of them.

3. In spite of notice dated 29-10-1984 the workman and Management called absent on 28-11-1984. Another adjournment to 18-12-1984 was given to them but they were called absent. No representation was made. Hence it is clear that both the parties are not interested to have adjudication upon the dispute. Hence the reference is answered as terminated, stating that it is dismissed as not prosecuted by the parties concerned.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 18th day of December, 1984.

Sd/-

Industrial Tribunal

Appendix of Evidence

NIL

J. VENUGOPALA RAO, Industrial Tribunal
[No. L-43012/8/83-D.III(B)]
NAND LAL, Under Secy.

नई दिल्ली, 16 जनवरी, 1985

का. आ. 486:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न कोलफील्ड्स लिमिटेड, कन्हन क्षेत्र, डाक गुडी वाया जुनारदेव, जिला छिन्दवाड़ा (म. प्र.) के प्रबंधन से सम्बद्ध नियोजकों और उनके कामकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर, के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार का 11-1-1985 को प्राप्त हुआ था।

New Delhi, the 16th January, 1985

S.O. 486.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur, has shown in the annexure, in the industrial dispute between the employers in relation to the management of Kanhan Area of Western Coalfields Limited and their workmen, which was received by the Central Government on the 11th January, 1985.

ANNEXURE

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR, (M.P.)

Case No. CGIT/LC(R) (31)/1982

PARTIES :

Employers in relation to the management of Western Coalfields Limited, Kanhan Area, Post Office Gudi, Via, Junnardeo, District Chhindwara (M.P.) and their workmen represented through the K. K. M. Panchayat (HMS), Post Office, Junnardeo, District Chhindwara (M.P.).

APPEARANCES :

For Union—Shri G. M. Shah.

For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Coal DISTRICT : Chhindwara (M.P.)

AWARD

Dated, the December 31, 1984

The Central Government in exercise of its powers under Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication vide Notification No. L-22012(2)/82-D. IV(B), dated 27/29-4-1982 :—

“Whether the action of the management of Western Coalfields Limited, Kanhan Area in relation to their Sukri Colliery in retiring Shri Sumeran, S/o. Triloki, aulage Khafasi with effect from 1-5-80 is justified? If not, to what relief is the workman entitled?”

2. Two questions arise for consideration in this case. First regarding the correctness of the date of birth and secondly whether it was permissible for the management to impose a retiring age in the Standing Orders in respect of the existing staff which when they joined did not have any such stipulation.

3. Amba Group of Mines, Kanhan Area, Western Coalfields Ltd. was nationalised on or about 30th January, 1973. It was run by M/s. Natwarlal Samaldas Co., M/s. Poddur & Company and Shaw Wallace and Company in turn prior to its nationalisation. Sumeran was employed at Delta East Colliery No. 11, Tippilar in the year 1947. It appears at that time many inducements were given to the workmen for taking employment in the colliery particularly Delta East Company. They were paying attendance bonus and other facilities to attract workers in the colliery. There was no question of putting a retirement age in such situation. There were also no Standing Orders and the Model Standing Orders govern the service conditions. These Standing Orders did

not have any clause regulating the retirement age. On its nationalisation the colliery came to be governed by various financial rules and much of the arbitrariness in the employment and conditions regulating employment and service condition was removed. It is contended that by introducing a superannuating age of the employees the management was seeking to affect a change in the conditions of service. This was done without complying the provisions of Sec. 9A of the Industrial Disputes Act and therefore bad. There is little force in the contention. As the language of Sec. 9A would indicate that the change in conditions of service envisaged is in regard to matters specified in the Fourth Schedule. The Fourth Schedule contains specific matters in relation to which the notice of change ought to be given by the employer. This Schedule, however, does not contain matters regarding superannuation age and therefore there is no violation of S. 9A.

4. In my opinion a change could be brought about in the conditions of service by specific legislation and indeed many legislations have been made super-imposing the conditions of service of the employees in various establishments and local bodies and Government. The Standing Orders are framed under the Industrial Employment (Standing Orders) Act, 1946. They are statutory and have the statutory force. I am, therefore of the view that the Standing Orders can prescribed a retiring age which would be binding on the workmen of the employer. There is no substance in this part of the argument also that such a change cannot be brought about by means of amendments introducing condition as to retiring age.

5. I then come to the next important question as to the date of birth of the workman, Sumeran, who has been retired. The management relies on the entry in the Form B Register maintained by them. The management is enjoined to maintain this register under Rules 40, 38(3), 51 and 77 of the Mines Rules, 1955. It is urged that the workman had been transferred from Delta East Colliery to Eklehra Colliery and the entry in the register Form B is a declaration made by the workman which should bind him. There is thumb impressions affixed to this entry.

6. The management mainly relies on the particulars obtained from the Colliery from where the workman last served the communication by the Manager Delta Colliery contained in Ex. M/2 and the entry in Form B Register kept with the Colliery. According to the workman, Sumeran was 44 years of age when he had been transferred to Eklehra Colliery. The particulars given in Ex. M/1 would indicate the date of birth of Sumeran as 1-7-1919.

7. There is nothing to show that the workman had given any declaration in Eklehra Colliery where he was transferred nor is there evidence to show that he had given declaration at Delta Colliery from where he had been transferred. The particulars undoubtedly must have been obtained from some register and it was relevant that that register was produced. They have produced a letter from the Manager, Delta East Colliery dated 13-6-1961 addressed to the Manager, Eklehra Colliery from which it appears that the Manager, Eklehra Colliery was furnishing. The letter further goes on to show that the particulars sought to be furnished were of the contribution. The Manager, Eklehra Colliery required these particulars. According to these particulars Sumeran S/o. Triloki Ahir, Contribution Card A/14243, was born on 1-7-1919 which ought to mean 1919. We are not told as to what is the basis on which the date of birth was recorded. Register Form B had been prepared on the basis of these particulars and it bears the thumb impression of Sumeran. Sumeran is a wholly illiterate person and I do not think he can be attributed even the little sophistication to appreciate the significance of the affixation of the thumb marks or to know that he was verifying certain particulars. The above evidence would go to show that he was having a provident fund account in the Coal Mines Provident Fund Scheme and where his account number was A/14243. Provident Fund Commissioner was asked to produce this record and on 5-8-1983 he had appeared with the relevant register. He was permitted to file original of the card of Sumeran. From this card it would be seen that the date of birth of Sumeran was 1st July, 1928. On a later date on 26-7-84 one U.D.C. from the office of the Regional Commissioner, Coal Mines Provident Fund Chhind-

wara appeared and stated that Form A register was prepared on the information submitted by the member and this register was maintained at the time of allotment of account numbers. If the member submitted any declaration the same was kept with it. He admitted that the Form A was filled in with the help of the management and Form A is also signed by the applicant. Provident Fund Contribution Form was submitted to the Coal Mines Provident Fund Commissioner through the management of the Colliery and it was not given directly to the workman to be given over to the Provident Fund Commissioner. This being so, this form assumes importance because it is prepared with the help of the management. The management has to be attributed the knowledge of the contents of the entry in this form A register.

8. Workman Sumeran deposed that he was initially employed in Delta East Sagan Colliery in the year 1947. On 2-5-1961 he was transferred to Eklehra Colliery and thereafter on 31-8-1969 he was transferred to Sukri Colliery. He was made to retire from Sukri Colliery with effect from 1-5-1980. As soon as he received the notice of retirement he protested that he could not be retired as he had not reached the retiring age. He approached the Asstt. Labour Commissioner. He obtained the copy of the entry in the Kotwari book regarding his date of birth and also filed an affidavit that he had not attained the age of 60 years. The certified copy of the entry of Kotwari book has been filed. It being a public document, it was taken on record. According to this, his father had made a report about his birth on 16-12-1931 and the date of birth given was 8-12-1931. He had explained in the cross-examination why he had not taken any steps to get his date of birth amended in Form B register or any other record with the Company. In the first place his contention had been that there was no retiring age in the colliery and the Standing Orders did not lay down any retiring age. There was, therefore, no question of bothering about the date of birth. Secondly, he was wholly an illiterate person and did not know what was written in Form B register of the Colliery. He was not aware of the date of birth recorded with the management. When he was transferred he merely received that he had been transferred to such and such colliery. No attempt had been made to fix this knowledge on him. It would be seen that he being an illiterate worker it would be necessary for the management to establish this. Merely because he had affixed thumb impression in Form B register a presumption could not be drawn that the applicant had been aware of the contents of the entry. We have nothing before us from which we can know the circumstances under which he had affixed the thumb impressions.

9. Rameshwar (W.W. 2) was produced to testify that there was no retiring age for the employees in the colliery. It was only for the last 4 or 5 years that certain persons were retired when they reached the age of 60 years. He had given this evidence in 1982, that is to say, at the time when the applicant was retired and the management was seeking to retire persons at the age of 60 years. This is important because previous to this they did not retire persons even if he had reached the age of 60 years. Sk. Aslam had been produced to prove that he had gone with the workman to Delta East Colliery who told him that the date of birth of Sumeran was 1st July, 1928, and that he had handed over such certificate to the Manager of Sukri Colliery, but the management did not take any action on such a certificate. He also stated that there was no rule in the colliery to retire persons at the age of 60 years. The management produced M. G. Bapat, Head Clerk of Sukri Colliery and he merely stated that he received Ex. M/1, Ex. M/2 from the Eklehra Colliery and that at Sl. No. 109 is the entry in Form B register pertaining to Sumeran by which it showed that on 2nd May, 1961 he was 44 years. He stated that there were certain circulars under which the superannuating age was fixed at 60 years but no such circulars have been produced by the management despite the fact that the case was of 1982 and the evidence closed in July 1984. He also stated that the service conditions of the workman were regulated by the Standing Orders of the Mines; that the Sukri Colliery had its own Standing Orders, but the Standing Orders do not provide as to when a workman is to retire. He was unable to say under what provision of law or authority the workmen in the colliery were being retired. It appears to me from the above evidence that the assertion of the workman that the colliery did not have any superannuating age seems cor-

rect. Since there had been no retiring age fixed for the workman, the workman did not bother to check his date of birth at any time till he received the notice of retirement. Thereafter he produced the entry in the Kotwari register and also checked up his date of birth with the Coal Mines Provident Fund Commissioner. Both these documents indicate that his date of birth was not 1st July, 1919 but was 1st July, 1928. The date of birth recorded in Form A in the Coal Mines Provident Fund Register carries weight as this is a statutory register which the Coal Mines Provident Fund Commissioner was bound to maintain according to rules. There is no reason why reliance should not be placed on the entry in the Coal Mines Provident Fund Register. The management cannot ignore this entry particularly when the issue had been raised after receiving a notice of retirement by the workman. They should have made due enquiry regarding this. They seem to have merely ignored this vital piece of evidence and relied on their own record. Now since the workman had come on transfer it was more probable that the date of birth at the time of his entry into service was not correctly recorded by the management. Therefore, I am inclined to believe that the workman had been retired much earlier than 60 years. He has also appeared at the time of arguments before me. When he was giving evidence and I had made a rough note that he looked much younger and was not of 60 years. I am, therefore, wholly convinced that the age recorded in Form B register was wrong and if the management had taken the trouble of making any enquiry, they would have found that at least the age recorded in the register of Coal Mines Provident Fund Commissioner could not be ignored. There is no reason why the entry in the Kotwari Register could be set aside. For all these reasons, I am of the view that he had been retired on a wrong supposition that the workman reached the age of 60 years. The termination of services would amount to retrenchment and since it is without following the procedure provided under the I.D. Act, it would be void ab initio. It would also be seen that this colliery had not prescribed any retiring age nor are there any circulars prescribing the retiring age.

ORDER

Looking to all the circumstances I hold that Sumeran was retired even before he had reached the age of 60 years. The age as given in Form A Register with the Regional Commissioner, Coal Mines Provident Fund ought to have been accepted. This workman ought to be retired only on attaining the age as given in the Coal Mines Provident Fund Register which seems to be correct. The workman would be entitled to back wages and reinstatement. He would also be entitled to costs which would be Rs. 100 in this case.

K. K. DUBE, Presiding Officer

31-12-1984.

[No. L-22012(2)/82-D.IV(B)-D.V.]

नई दिल्ली, 22 जनवरी, 1985

का० आ० 487 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय खाद्य निगम, मद्रास के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, मद्रास के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-1-1985 को प्राप्त हुआ था।

New Delhi, the 22nd January, 1985

S.O. 487.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Madras, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India, Madras and their workmen, which was received by the Central Government on the 18th January, 1985.

BEFORE THIRU K. S. GURUMURTHY, B.A., B.L., PRF-
SIDING OFFICER, INDUSTRIAL TRIBUNAL, TAMIL-
NADU, MADRAS

Constituted by the Central Government)
Monday, the 31st day of December, 1984
Industrial Disputes No. 27 of 1984

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the Management of Food Corporation of India Madras-1).

BETWEEN

Shri K. Thiruvengadam, 23, 10th Avenue, Ashok Nagar,
Madras-600083.

AND

The Joint Manager (Port Operations), Food Corpora-
tion of India, Chennai House, Esplanade, Madras-
600001.

REFERENCE :

Order No. L-42012(1)/83-D.IV (B), Ministry of Labour
and Rehabilitation, dated 24-3-1984, Government
of India, New Delhi.

This dispute coming on for final hearing on Friday, the 28th day of December, 1984 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru R. Ganesan, Advocate appearing for the Petitioner-Worker and of Thiruvallargal P. B. Krishnamurthy and M. Chidambaram, Advocates appearing for the Management, and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

The Government of India by its Order No. L-42012(1)/83-D.IV (B), Ministry of Labour and Rehabilitation, dated 24-3-1984 has referred the following dispute under Section 7-A and Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication to this Tribunal.

2. The dispute is :

"Whether the action of the Joint Manager (Port Operations), Food Corporation of India, Madras-600001 in terminating the services of Shri K. Thiruvengadam, Loading Mazdoor with effect from 12-6-1982, is justified? If not, to what relief is the workman concerned entitled?"

3. On receipt of notice from this Tribunal, the parties appeared.

4. The Petitioner filed a claim statement raising the following grounds to sustain his claim. By a notice dated 29-5-1982 the services of the Petitioner were terminated with effect from 12-6-1982 on the ground that he was found unfit for service by the Dock Labour Board Dispensary Medical Board. It was not disclosed on what basis he was found not medically fit. No retrenchment compensation was also paid. No opportunity was also given to him to state his case. Subsequently the Petitioner was examined by a Civil Assistant Surgeon of the Government Ophthalmic Hospital, Egmore who certified that the Petitioner was fit for appointment as a Loading Mazdoor in F.C.I. service. The Petitioner produced a photostat copy of the above Fitness Certificate and made a further representation to the Joint Commissioner on 9-11-1982 requesting for reinstatement.

5. The Petitioner raised an industrial dispute under Section 2-A of the Industrial Disputes Act. The Petitioner was referred to Medical Board of the Government Ophthalmic Hospital, Egmore for a second opinion. The Medical Board examined him and considered the patient to be unfit for the post of loading Mazdoor. He being an employee of the Food Corporation of India, the Madras Dock Labour Board Rules will not apply to him. The Madras Dock Labour Board workers work in the vessels. The F.C.I. workers work in the shore. The second opinion of the Medical Board is tainted. There was a delay of nearly one year after his first examination. His termination is a retrench-

ment within the meaning of Section 2(oo) of the Industrial Disputes Act and hence it is illegal since the procedure for retrenchment was not followed.

6. The petitioner's non-employment is illegal and not justified. The petitioner should have been provided with an alternate work. The termination is malafide. The petitioner is entitled for reinstatement with back wages and continuity of service. This Hon'ble Tribunal be pleased to pass an award holding that the non-employment of the Petitioner is not justified and direct the Respondent to reinstate the Petitioner with back wages and attendant benefits and continuity of service and render justice.

7. The Management filed counter statement raising the following objections: The Medical Board found that he was medically unfit for further service as loading Mazdoor as he had undergone Cataract Operation. The Petitioner's services were terminated on medical grounds with effect from 12-6-1982. The Respondent is only guided by the opinion of the Medical Board. By a letter dated 30-7-1982 the Petitioner was informed that as he found medically unfit he cannot be reinstated. The petitioner is bound by the Standing Orders and he has produced a Certificate issued only by a Civil Assistant Surgeon which is not in accordance with the Standing Orders. The Petitioner was clearly aware that his vision has been lowered.

8. The Assistant Labour Commissioner suggested that the Petitioner may be referred to a Medical Board of the Government Ophthalmic Hospital, Madras for final opinion. The Medical Board by their opinion dated 16-7-1983 found him unfit for the post of Loading Mazdoor. At no point of time did the Petitioner question the validity of the Medical Board of the Government Ophthalmic Hospital. The employee of the Food Corporation of India has to work inside the Madras Harbour. The physical norms applicable to the workmen of the Madras Dock Labour Board will apply to them. It is denied that the 2nd opinion of the Medical Board is tainted.

9. The Petitioner has been terminated validly and legally on medical grounds. The Respondent denies that his termination is malafide. The Petitioner's termination is not a retrenchment within the meaning of Section 2(oo) of the Industrial Disputes Act. He is not entitled to reinstatement with back wages and continuity of service.

10. MWs 1 and 2 and WWs 1 and 2 were examined. Exs. M-1 to M-21 and W-1 and W-2 were marked. I have heard the learned counsel for the Petitioner and the learned counsel for the Management.

11. The point for consideration is whether the termination of the services of Sri K. Thiruvengadam is justified.

12. The sole ground on which the services of the Petitioner have been terminated by the Management is that he was medically found unfit for the work that he had been employed for. The Petitioner had been employed as Loading Mazdoor. It emerges from the evidence that his work is in the shore and not in the Ship. Clause 20 of the Standing Orders binding on the parties states that a workman may be retired from service before his attaining the age of superannuation if he is certified medically unfit for the work he has been employed for. By exercising this power under clause (20) of the Standing Orders the Management had purported to terminate the services of the Petitioner by its order Ex. M-2 dated 29-5-1982. It therefore becomes necessary to consider whether the medical evidence clinches the fact that this employee-petitioner had become unfit medically for the work that he had been employed for. On this aspect, there is the evidence of the doctor WW-1 on the side of the workman and the evidence of the doctors MW-1 and MW-2 on the side of the Management.

13. WW-1 would assert that he is an eye specialist attached to the Government Eye Hospital and he has had 11 years experience. He treated the eyes of the workman-petitioner on 5-11-1982 and gave the certificate Ex. W-1 to the effect that after the cataract operation, the sight of the Petitioner-Workman was found to be good. According to WW-1 this Petitioner-Workman is fit for work. This evidence of WW-1 in the chief examination has been practically unsettled if not weakened by his admission in the course of cross-examination that the Medical Board after examining the eyes of this workman has given the certificate Ex. M-1. WW-1

could not attack the correctness of the certificate Ex. M-1. The doctor MW-1 who was a member of the Medical Board which examined the Petitioner-Workman and gave the certificate Ex. M-1 had asserted that this Petitioner-Workman is medically unfit for the post of Loading Mazdoor. He would make it clear that the doctor WW-1 who gave the certificate Ex. W-1 had not correctly noted the discrepancy or the vision of the patient (Petitioner-Worker). MW-1 would state that the vision of the patient after cataract operation generally remains constant. The direct vision may be alright but the side vision would be insufficient. It is significant that this Petitioner-Workman was examined by the Medical Board almost one year after the issuance of the certificate Ex. W-1. This delay in the examination of the eyes of the Petitioner-Workman by the Medical Board is to a large extent due to the conduct of the Petitioner himself. This is made abundantly clear by the Management's document Ex. M-15 dated 25-5-1983 in which the Management had stated that this workman-petitioner refused to receive the intimation letter of the office to appear before the Medical Board and therefore the requisition was sent to the Petitioner under registered post. The evidence of MW-2 may not assume importance because he admittedly did not examine this patient-workman for his eye sight. He is admittedly not an eye specialist. His certificates Exs. M-5 and M-6 declaring the workman-petitioner unfit for the work solely on the ground that he had cataract operation cannot be accepted. Therefore his evidence would not advance the case of the Management. But the evidence of the member of the Medical Board which examined the Petitioner-Workman, namely MW-1 is very emphatic to say that this workman is unfit by reason of the lowered vision to do the job of the Loading Mazdoor. It may be that as on the date when WW-1 examined this Petitioner-Workman and issued the certificate Ex. W-1 the recordings in Ex. W-1 were correct. But when once the Medical Board on the date of its examination of this patient has found his vision defective and insufficient to do the work that he had been employed for it is futile to refer to Ex. W-1. This is particularly so because MW-1 has made it clear that the doctor WW-1 who issued Ex. W-1 has not correctly noted the discrepancy in the vision of the Petitioner-Workman. Therefore the termination of the services of the Petitioner-Workman on the ground that he was medically found to be unfit for the work cannot be said to be illegal.

14. However, one aspect remains for consideration and that is this : Clause (20) of the Standing Orders Ex. M-21 states that the decision of the employer's doctor or a doctor nominated by the employer will be final in regard to the certification of medical unfitness of the worker concerned. This would suggest that if the doctor nominated by the employer is competent to certify with reference to the particular aspect of the medical fitness or unfitness of the workman then it should be accepted. In this case MW-2 as has been already observed is not competent to examine the eyes of the workman and is not competent to say whether the vision of the workman is defective and therefore the workman is unfit for the job that he had been employed for. To that extent, the order of termination Ex. M-2 dated 29-5-1982 based upon Exs. M-5 and M-6 cannot be said to be correct.

(15) It is also pertinent to point out that clause (20) of the Standing Orders Ex. M-21 states that the decision of the doctor nominated by the employer can be successfully challenged by the workman by producing a certificate from a doctor not less in rank than that of a Civil Surgeon. It is unfortunate that this Petitioner workman has obtained the fitness certificate Ex. W-1 from W.W.1 who is only an Assistant Eye Surgeon attached to the Government Eye Hospital. Therefore he is not in the rank of a Civil Surgeon. To that extent it will not be incorrect to state that Ex. W-1 also is not final. It is clear that the relevancy and the finality of the certificate issued by the Regional Board Ex. M-1 assures significance. This Ex. M-1 is dated 16-7-1983. It is only as on this date the disqualification that the Petitioner Workman is found to be medically unfit to do the job he has been employed for can be said to have come into existence. Therefore the order of termination will not have validity by reason of the final medical opinion given by the competent medical men covered by Ex. W-1, on 16-7-1983.

(16) The learned counsel appearing for the Management contended that MW-2 is competent to issue the certificates Exs. M-5 and M-6 and the Management is entitled to act on these certificates. This argument is based upon the ground that under clause 11(1) of Ex. M-21 Standing Orders the

workmen are governed by the rules of the Madras Port Trust and Dock Labour Board, Madras. The doctor M.W.2 is a Member of the Dock Labour Medical Board. Therefore he is competent to certify to the medical unfitness of the Petitioner-workman. I am afraid that this argument is misconceived and bereft of force. Clause 11(1) of the Standing Orders Ex. M-21 merely states that the workmen of this Management shall carry out their duties as per the rules of the Madras Port Trust and Dock Labour Board, Madras. To carry out the duties as per the rules of the Madras Port Trust and Dock Labour Board, Madras, will not have any impact on the worker being medically fit or unfit. That clause 11(1) of the Standing Orders does not say that the medical fitness of the workmen will be decided in accordance with the rules of the Madras Port Trust and Dock Labour Board, Madras. Therefore that argument is repelled as not sustainable.

(17) The learned counsel appearing for the Petitioner-Workman placed another ground of attack that this order of termination would amount to retrenchment under Section 2(oo) of the Industrial Disputes Act, 1947. The Management has not complied with the provisions of Section 25F of the Industrial Disputes Act. Therefore the order is null and void and the employee should be reinstated with all the back wages and other benefits. I consider that this argument also is not tenable. Section 2(oo) sub-clause (c) indicates that if the services of the workmen are terminated on the ground of continued ill-health then it will not fall within the term "retrenchment". In this case, the Medical Board which issued the certificate Ex. M-1 has stated that by reason of the defective vision, the workman is unfit to do the work that he had been employed for. On this simple ground I am satisfied that this ground of attack that the order of termination passed by the Management will amount to retrenchment has no merit and it is accordingly repelled.

(18) In my view, this workman can be said to have been certified to be medically unfit only on the date of Ex. M-1, namely 16-7-1983 and the order of termination Ex. M-2 will take effect only from that date. As has been already said the termination on the ground that the Petitioner-Workman is medically unfit is valid and is within the powers of the Management under clause (20) of the Standing Orders Ex. M-21. However, as the order will have effect only from the date of Ex. M-1, namely 16-7-1983, the Management will have to pay the wages and other benefits that the workman would have earned had he continued on duty from 12-6-1982 to 16-7-1983. Subject to the liability of the Management to pay the wages and other emoluments payable to the workman for the above said period, the order of termination passed by the Management is upheld.

(19) An award is passed in the above lines. However, there will be no order as to costs.
Dated, this 31st day of December, 1984.

Sd/-

K. S. GURUMURTHY, Industrial Tribunal.

WITNESSES EXAMINED

For workman

W.W.1—Dr. V. Velayutham.

W.W.2—Thiru K. Thiruvengadam.

For Management

M.W.1—Dr. C. P. Gupta.

M.W.2—Dr. Murari.

EXHIBITS MARKED

For workman

W-1/5-11-82—Fva Certificate issued by Dr. Velayutham to the workman.

W-2/22-7-83—Conciliation failure report

For Management.

M-1/16-7-83—Letter from the Government Ophthalmic Hospital to the Management.

M-2/29-5-82—Office Order terminating the services of Thiru K. Thiruvengadam. (W.W.2)

M-3/22-6-82—Copy of letter from W.W.2 to the Management.

- M-4/9-1182—Letter from W.W.2 to the Management.
 M-5/17-4-82—Physical fitness Certificate issued to Thiru K. Thiruvengadam, W.W.2 by the Medical Officer.
 M-6/11-5-82—Discharge Medical Certificate to W.W.2 by the Medical Officer of the Management.
 M-7/3-7-82—Copy of letter from W.W.2 to the Management.
 M-15/25-5-83—Copy of letter from the Management to ment.
 M-9/29-3-83—Copy of letter from the Management to Assistant Commissioner of Labour, Madras-6, (Central).
 M-10/30-3-83—Letter from the Assistant Labour Commissioner (Central) II, Madras-6 to the Management.
 M-11/6-4-83—Copy of letter from the Management to the Assistant Labour Commissioner (Central) II, Madras-6.
 M-12/28-4-83—Letter from the Assistant Labour Commissioner, Madras to the Management.
 M-13/11-5-83—Copy of letter from the Management to the Asst. Labour Commissioner, Madras-6.
 M-14/24-5-83—Copy of letter from the Government Ophthalmic Hospital to the Petitioner and Management.
 M-15/25-5-83—Copy of letter from the Management to Thiru K. Thiruvengadam W.W.2.
 M-16/16-8-83—Copy of letter from the Government Ophthalmic Hospital to Thiru K. Thiruvengadam W.W.2.
 M-17/9-6-83—Copy of letter from the Management to the workman Thiru K. Thiruvengadam.
 M-18/10-6-83—Copy of letter from the Government Ophthalmic Hospital to Thiruvengadam.
 M-19/2-7-83—Letter from the Asst. Labour Commissioner (C) II, Madras-6 to the Management.
 M-20/7-7-83—Copy of letter from Government Ophthalmic Hospital to Thiruvengadam.
 M-21—Standing Orders of the Management.

K. S. GURUMURTHY, Industrial Tribunal.
 [No. L-42012(1)/83-D.IV(B)/D.V]
 S. S. MEHTA, Desk Officer.

नई दिल्ली, 24 जनवरी, 1985

का० ग्रा० 488.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, भारतीय खाद्य निगम, पंजाब क्षेत्र के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चन्डीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18 जनवरी, 1985 को प्राप्त हुआ था।

New Delhi, the 24th January, 1985

S.O. 488.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India, Punjab Region and their workmen, which was received by the Central Government on the 18th January, 1985.

ANNEXURE

BEFORE SHRI I. P. VASISTH, PRESIDING OFFICER,
 CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL,
 CHANDIGARH

Case No. I. D. 214/84

PARTIES :

Employers in relation to the management of Food Corporation of India, Sangrur Punjab.

AND

Their Workmen.

APPEARANCES :

For the Employers—Shri Ram Kishan.

For the Workmen—Shri P. K. Singla.

Food Corporation of India

STATE : Punjab

AWARD

Dated, the 4th of January, 1985

I was seized of an Industrial Dispute referred by the Appropriate Government, per their Order No. L-42011(24)/81/FCI/D.IV (A) dated the 1st of May, 1982 for adjudication and determination of the nature of petitioners' services when they were abruptly disengaged by the Management without prior intimation, shorn of permission of the Tribunal.

2. In view of the seemingly undue haste shown by the Management in circumventing the Tribunal proceedings the petitioners filed the instant complaint under Section 33A of the Industrial Disputes Act 1947 for appropriate action. Due notice of the aforesaid complaint was issued to the Management and meanwhile it was suggested to them to give a second thought to their action. It appears that the Management saw the writing on the wall and that was how that they came out with a constructive response by ordering the re-instatement of all the petitioners per their Order No. I.R. 6(21)/IT/83 dated the 15-11-1984.

3. On behalf of the petitioners it was also conceded that in view of the aforesaid development no further action was called for.

4. I accordingly return my Award under the hope and expectation that the Management will honour its commitment like a model Employer.

Chandigarh,

Dated : 4-1-1985.

I. P. VASISTH, Presiding Officer
 [No. L-42011(24)/81-FCI/D.IV (A)/D.V]

का० ग्रा० 489.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय खाद्य निगम, कुरुनूल के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारी, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-1-1935 को प्राप्त हुआ था।

SO. 489.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Hyderabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India, Kurnool and their workmen, which was received by the Central Government on the 19th January, 1985.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
 AT HYDERABAD

Industrial Dispute No. 38 of 1982

BETWEEN

The Workmen of Food Corporation of India, Kurnool,
 AND

The Management of Food Corporation of India, Kurnool.

APPEARANCES :

Sri G. Bikshapathi, Advocate—for the Workmen.
Sri M. V. Bharathi, Advocate—for the Management.

AWARD

The Government of India, Ministry of Labour by its Order No. L-42011(11)/82-FCI/D-IV (A) dated 8th October, 1982 referred the following dispute under section 74 and 10(1)(d) of the Industrial Disputes Act, 1947 between the Management of Food Corporation of India, Kurnool and its Workmen for consideration to the Tribunal :

"Whether the action of the management of Food Corporation of India, Kurnool in terminating the services of Shrimati Papamma, Silar Bee, Pukaramma and Shekamma, Sweepers, with effect from June, 1978 and thereafter, employing them through a contractor is justified? If not, to what relief are the concerned workmen entitled?"

This reference was registered as Industrial Disputes No. 38 of 1982 and notices were issued to both the parties.

2. The Workmen filed claims statement stating that the four Sweepers namely Papamma, Silar Bee, Pukaramma and Shekamma were appointed on 26-4-1976, 26-4-1976, 26-4-1976 and 27-3-1976 respectively on daily rate basis of Rs. 2.50 and Rs. 3.00 and that they were working continuously without any break in service. It is contended that they were paid bonus as paid to the regular workers and they should have been regularised and granted pay scales of regular Sweepers. In pursuance of the notification of the Head Office No. 4-8/75-EB dated 4-2-76 amending the regulation 9 of the Food Corporation of India Staff Regulations which was mainly intended to absorb the daily rated workmen in regular cadres of various posts. It is contended for the reasons best known to the Management these four Sweepers were not regularised and further the management terminated the services of these Sweepers with effect from 3-7-1978 without any reasons whatsoever. According to them after termination of services they were made to work with a Contractor thus artificially cutting the relationships of master and servant. It is contended that the termination of services amounts to retrenchment and the same is in violation of Section 25-F of the I. D. Act. It is also contended that they neither issued a notice of retrenchment nor paid retrenchment compensation, and further entrusting the work to a Contractor who in turn employed the same workmen amounted to victimisation and unfair labour practice. It is contended that the entire action of the management is therefore illegal and unlawful. It is prayed that the termination of service with effect from 3-7-1978 and thereafter employing the same persons through contractor is illegal and unjustified and that they should be reinstated with full back wages on regular scales and other attendant benefits.

3. On the other hand the Management contended that the petitioners were appointed when there was massive operations of procurement and massive movement of food grains during 1976 and middle of 1977. Later on, the work and activity were reduced and the employees became surplus. Thus it is contended that the management found the petitioner to be surplus. It is also mentioned that the petitioners lacked in requisite qualifications prescribed under the Staff Regulations 1971 of the Food Corporation of India, Section 25-F of the Industrial Disputes Act 1947 had no application, since they did not complete 240 days as required under Section 25-B of the I. D. Act. The petitioners themselves joined the services of the contractor. The reference itself is bad in law. None of the provisions of the I. D. Act are attracted. The petitioner is liable to be dismissed.

4. On behalf of the workmen WW-1 to WW-4 were examined and Exts. W-1 to W-13 were marked. On behalf of the Management MW-1 was examined and Ex. M-1 was marked. The substance of the oral evidence for the workmen is to the following effect. WW1 is one A.S. Prakash Rao who is the Unit Secretary of the F.C.I. Executive Employees Union, Timencheria. According to him the workmen concerned in the dispute are members of his Union and they were appointed as Sweepers in the year 1976. It is his case that they were working continuously since their appointment and the Department gave breaks for every three months. According to him, the period of breaks would be of two or three days and ultimately their services were

terminated in July 1978 without notice and retrenchment compensation as per the provisions of the I. D. Act. According to him they are engaged for 10 to 12 days per month by the Contractor and the Contractor is now paying Rs. 4.00 per day while the Food Corporation of India wages are Rs. 8.00 per day. He marked Exs. W-1 and W-2 as their representations to the Management given by them with the enclosure and Ex. W-3 is the letter referred to the Assistant Commissioner of Labour. According to him the Management was agreeable for payment of retrenchment compensation to four ex-Sweepers who are petitioners herein upto the date of their discontinuation. Ex. W-4 is the minutes of the conciliation proceedings and Ex. W-5 is the letter by the Government of India, Ministry of Labour dated 11-6-1982 stating that the termination of services is in violation of I. D. Act Ex. W-6 is the letter which mentioned that their case of regularisation will be considered provided their names are sponsored through Employment Exchange and they fulfil other prescribed conditions and after lifting of ban on recruitment at entry level. Ex. W-7 to W-10 are the photostat copy of the Identity Cards of these four persons involved in the dispute. WW-2 is Silar, WW-3 is Papamma, WW-4 is Shekamma. All these three persons stated that they were daily rated workwomen and they were continuously working since 1976 and they were removed in 1978 without paying any retrenchment compensation and without giving notice. It is mentioned that they were working under the Contractor as per his requirement after their removal. They mentioned that they worked under Contractor Mukundlal and the contractor were paying Rs. 4.00 per day while the Food Corporation of India used to pay Rs. 8.00 per day. They also mentioned that in July 1978 three persons were taken as permanent Sweepers and these three persons were also working along with them prior to their permanent appointment as daily rate workmen.

5. The Management examined MW-1 who is the Assistant Manager of Food Corporation of India, Timencheria at the relevant period. He mentioned that he knew these four Sweepers and they worked as Sweepers in Food Corporation of India, Timencheria Goddown through the Contractor V. Pacha Reddy. He admitted that they were working on daily rated casual Labourer in the F.C.I. and that they do not know Telugu which is a qualification for appointment as Sweepers and that they were over-aged on the first appointment. According to him the District Office called for eligible candidates from the Employment Exchange and after interviewing them selected the eligible candidate for appointment. He admitted that regular Sweeper gets Rs. 600.00 and casual sweeper gets Rs. 120.00 as minimum wages prevalent at the relevant time. He conceded that there is no defective service rendered by them for lack of knowledge of reading and writing Telugu.

6. The point for consideration is whether the action of the management in terminating the services of these employees with effect from June 1978 and thereafter employing them through Contractor is justified or not.

7. It is admitted by M.W. 1 that these employees are appointed as Sweepers by Food Corporation of India, Timencheria as daily rated casual labour from 1976. It is found that their services were terminated from June 1978. The evidence of M.W. 1 would show that the District Office called for the names of eligible candidates from the Employment Exchange on the ground that the qualification prescribed for the Sweepers contain that he or she should be aged 25 years for the first appointment and that he or she should know Telugu. It is the case of M.W. 1 that these people are illiterate Sweepers and they became ineligible being illiterates. He conceded that there is no defective service rendered by them as Sweepers for lack of knowledge of reading and writing Telugu. He also conceded that after the advent of Adult Education Scheme, the Corporation can send them to learn Telugu so as to confirm them to their requirements. He conceded that the experienced Sweeper who is acquainted with the duties will be more useful to the Food Corporation of India for the duties of a regular Sweeper. M.W. 1 could not say whether these four Sweepers were employed continuously as casual labourers. But from the work point of view it is conceded by M.W. 1 that the regular Sweepers, as well as the casual labourer does the same work. In the instant case the evidence of W.W. 1 to W.W. 4 would show that they worked

continuously from 1976 to June 1978 and they were shown thereafter working under Contractor for the purpose of getting over the problems of regularisation of their services on a permanent basis. Their Identity Card (photo-stat copies) Exs. W7 to W10 would show that they are unemployed after their termination. Moreover as per the proceedings under Exs. W11 and W13 it is clear that one Mohan Krishna and one P. Ranga Swamy were appointed for the post of Watchmen and that Ex. 12 would show that the Management agreed to appoint 47 daily rated workers with effect from 1-6-1984.

8. The fact remained on this available evidence and admissions that these four workers come under the definition of Section 2(s) of the I.D. Act employed to do manual or unskilled work of a Sweeper on daily rate basis and that the matter comes within the meaning of Section 2(k) of the I.D. Act and that they were not given any notice as required under Section 2(o) of the I.D. Act before their services were terminated which amounted to retrenchment.

9. Interestingly parties filed a joint memo registered as M.P. No. 132 of 1984 on 28-11-1984 and it is brought to the notice of the Tribunal that these four Sweepers be employed as Sweepers from 3-12-1984 or from the date of reporting to the Assistant Manager, F.C.I. Timencheris as per daily rated basis as now existing as per prevalent minimum wages and it is also brought to my notice that these four Sweepers were taken into service as daily rated Sweepers. The joint memo filed has some significance. Ex. W2 as well as the claims statement would show that Smt. Papamma, Silar Bee and Pukaramma were first appointed on 26-4-1976 while Shekamma was appointed on 27-3-1976 and it is admitted that they were terminated in June, 1978. In Ex. W3 if a person worked for 240 days or more on daily rated basis it is found that Section 25-F of the I.D. Act is attracted. Ex. W3 would show that the District Manager was not able to regularise their services as there was ban of recruitment and that they were not able to appoint any of the persons who have raised the industrial dispute but the Management was agreeable to pay retrenchment compensation to the four ex-daily rated sweepers. Further it was mentioned that these four persons who have raised the dispute would be considered for appointment provided they are having requisite qualification as per the Staff Regulations if they are sponsored by the Employment Exchange. Thus it has to be conceded that the termination of services is in violation of the provisions of the I.D. Act and even under Exs. W5 and W6 the essence of the dispute that they should be regularised or that termination is void is brought-forth. The Management was insisting for recruiting them provided they are sponsored by the Employment Exchange and they fulfil the required qualifications. After all as conceded by M.W. 1 the Adult Education Scheme is there and there are experienced Sweepers and "not able to read or write Telugu" to be confirmed as permanent Sweepers is not a strict bar. It is conceded by M.W.1 that the regular Sweepers and casual Sweepers does the same work and that there is no defective service rendered by these four sweepers. When the termination in June 1978 is not found due to lack of activity of procurement of food grains on the available evidence. It cannot be said that the termination is within the four corners of Section 2(o) of the I.D. Act. to say that they are not entitled to be continued. Moreover the Contractor through whom they tried to have occasional employment given to them would show that the termination is done as an unfair labour practice. When the nature of work done by the daily rated Sweepers as well as permanent Sweepers is the same and when these people were terminated without notice or retrenchment compensation, the provisions of Section 25-F of the I.D. Act are attracted and the said termination of service is in violation of the principles of natural justice and even subsequent to this termination, it would show that there were still vacancies and some people were being recruited and these four Sweepers who have put in more than 240 days of continuous services were terminated without any reasonable cause and for the purpose of showing break of service which is a significant factor to be noted as is found in Exs. W-5 and Ex. W6 and Ex. M1. Even Ex. M1 would show that the F.C.I. was informed by the Head Office, New Delhi to settle the industrial dispute in respect of those Sweepers who have completed more than 240 days continuous service doing

the period of 12 months preceding the date of termination. These four ex-daily rated sweepers were admitted to have completed 240 days continuous service and they were directed to be reinstated on the same terms and conditions on which they were working prior to their termination. Thus the petition filed by the Management under M.P. No. 132 of 1984 would show that the Management was prepared to reinstate them on the same terms and conditions as per Ex. M1 but the other substance in Ex. M1 that they were not entitled for back wages during the intervening period i.e. from the date of termination to the date of reinstatement though their service will be treated as continuous for the purpose of terminal benefits seems to be untenable. The so called terms and conditions of the Standing Orders of the F.C.I. that these illiterate sweepers do not know to read and write Telugu will not stand in the way of performing the duties of sweepers as these sweepers who are experienced and against whom there was no cause for defective work and for whom under the Adult Education Scheme required Telugu knowledge for reading and writing can be made available if proper care is taken. Therefore, I hold that the four Sweepers are entitled for reinstatement as well as full back wages from the dates of the termination till the date of reinstatement and also for regularising by getting over the so called Standing Orders of the F.C.I. by granting special exemption in the given circumstances as the said prescribed conditions do not come in the way of performing their duties as Sweepers. This is indicated from the evidence of M.W.1 as well as Ex. W6 and Ex. M1 apart from the evidence of W.W.1 to W.W.4. Thus the termination of their services is held to be an unfair labour practice which is liable to be set aside. Their subsequent employment as Sweepers through a contractor is not justifiable. Thus the Award is passed accordingly in favour of these four Sweepers directing the Management of Food Corporation of India, Kurnool to reinstate them back with full back wages from the date of termination till they were reinstated with all benefits.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 5th day of January, 1985.

J. VENUGOPALA RAO, Industrial

Appendix of Evidence.

List of witnesses examined.

For Workmen :

For Management :

1. W.W.1 A. Suryaprakash Rao, M.W.1 S. A. Salam.
2. W.W.2 Silar Bee.
3. W.W.3 Papamma
4. W.W.4 Shekamma.

Documents marked for the workmen

- Ex. W1—Letter dt. 6-8-81 addressed by B. Jayamma, Secretary to the Assistant Labour Commissioner (C) Bellary regarding the termination of Sweepers.
- Ex. W2—Letter dt. 9-9-81 addressed by the Secretary to the Assistant Labour Commissioner (C) Bellary, regarding the termination of Sweepers and service particulars and the date of registration.
- Ex. W3—True copy of the Letter No. 1(8)/1975-Estt. (A.T.P.) dated 24-4-82 addressed by Dist. Manager, F.C.I. Kurnool to the Assistant Labour Commissioner (C) Hyd. 29 Camp at Guntakal regarding re-appointment of sweepers.
- Ex. W4—Minutes of conciliation proceedings held on 26-4-82.
- Ex. W5—True copy of the office Memorandum No. I-42011/11/82/D IV(A) F.C.I. dt. 11-6-82 from T.B. Sitaraman Desk Officer, Govt. of India, Ministry of Labour, New Delhi to the Under Secretary Krishn Bhavan, New Delhi regarding alleged illegal termination of services of Shrimathi Papamma and six others.

- Ex. W6—True copy of the letter No. 6(6)/81-10 dt. 11-2-1983 addressed by Deputy Manager (PER) for Senior Regional Manager, Camp. Kurnool, to the Secretary, F.C.I. Executive Employees Union, Timencherla, Kurnool, Regarding alleged illegal termination of services of Smt. Papamma and others.
- Ex. W7—Photostat copy of the Identity Card of Silar Bee issued by the Govt. of Andhra Pradesh, Department of Employment.
- Ex. W8—Photostat copy of the Identity Card of Fakamma issued by the Govt. of Andhra Pradesh, Department of Employment.
- Ex. W9—Photostat copy of the Identity Card of B. Shekamma issued by the Govt. of Andhra Pradesh, Department of Employment.
- Ex. W10—Photostat copy of the Identity Card of R. Papamma issued by the District Employment Officer, Amalapur.
- Ex. W11—Photostat copy of the appointment to the post of Watchman (By convert) dt. 1-6-84 issued by District Manager, F.C.I., Hyderabad to S. T. Mohan Krishna.
- Ex. W12—True copy of the record of deliberations held on 6-6-84 (By convert) in the conference hall between Management and various Staff Unions in the Regional Office, Hyderabad-I.
- Ex. W13—True copy of the Office order dt. 31-8-84 issued by the (By convert) District Manager, F.C.I. Kurnool to P. S. Ranga Swamy.

Document marked by the Management.

- Ex. M1—True copy of the letter No. 6(6)/81-1R addressed by M. Venugopal, Dy. Manager (PER) for Senior Regional Manager, Camp. Kurnool to the Secretary, F.C.I. Executive Employees Union, Timencherla, regarding alleged illegal termination of services of Smt. Papamma and others.

J. VENUGOPALA RAO, Industrial Tribunal
[No. L-42011(11)/82-FCI/D. IV(A)/D. V]

नई दिल्ली, 25 जनवरी, 1985

का. आ. 490.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम, नलगोंडा (आन्ध्र प्रदेश) के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23 जनवरी 1985 को प्राप्त हुआ था।

New Delhi, the 25th January, 1985

S.O. 490.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Hyderabad, as shown in the Annexure; in the industrial dispute between the employers in relation to the management of Food Corporation of India, Nalgonda (A.P.) and their workmen, which was received by the Central Government on the 23rd January, 1985.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

Industrial Dispute No. 33 of 1982

BETWEEN

The Workmen of Food Corporation of India, Nalgonda,
(A. P.).

AND

The Management of Food Corporation of India, Nalgonda
(A. P.).

APPEARANCES :

Sri G. Bikshapathi, Advocate—for the Workmen.

Sri M. V. Bharathi, Advocate—for the Management.

AWARD

This is a reference made by the Government of India by its Order No. L-42011(27)/81-D. IV(A) dated 13-5-1982 and Order No. S-11025(2)/82-D.IV(B), dated 17-7-1982 under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 to this Tribunal to adjudicate the following issue between the workmen represented by the President of Food Corporation of India, NRM Employees Engineering and Hamali Workers' Union, Nalgonda and the Management represented by District Manager, Food Corporation of India, Nalgonda on the other side, with reference to the termination of the services of 110 workmen who are mentioned in the Annexure by the Workmen in their claims statement :

"Whether the management of Food Corporation of India, Nalgonda is justified in terminating the services of 110 workmen, whose names have been mentioned in Annexure with effect from the dates mentioned against each in the said Annexure ?

If not, to what relief are the concerned workmen entitled ?"

ANNEXURE

1. Sri Areef Ahmed 28-7-81.
2. Sri A. Mohan Reddy 28-7-81.
3. Sri Md. Yousuf Ali 28-7-81.
4. Sri K. Ram Mohan 28-7-81.
5. Sri J. Chandraiah 28-7-81.
6. Sri D. Lokanadham 28-7-81.
7. Sri M. Babar 28-7-81.
8. Sri K. Marnakar 28-7-81.
9. Sri Md. Jahangir 28-7-81.
10. Sri Md. Janimiya 28-7-81.
11. Sri V. Kishen 28-1-81.
12. Sri B. Basavaiah 28-7-81.
13. Sri B. Ashok 28-7-81.
14. Sri Md. Khaja Moinuddin 28-7-81.
15. Sri M. Saidulu 28-7-81.
16. Sri Md. Saleem 28-7-81.
17. Sri P. Durgaprasad 28-7-81.
18. Sri Md. Ghouse 28-7-81.
19. Sri K. Kondal Reddy 28-7-81.
20. Sri Md. Ismail 28-7-81.
21. Sri G. Lingaiah 28-7-81.
22. Sri A. Sheshaiah 28-7-81.
23. Sri P. Panmaiah 28-7-81.
24. Sri Md. Mahboob Khan 28-7-81.
25. Sri M. Sheshagirirao 28-7-81.
26. Sri B. Bikshan 28-7-81.
27. Sri N. Nagabhooshanam 28-7-81.
28. Sri N. Satyanarayana 28-7-81.
29. Sri Ch. Narsimha 28-7-81.
30. Sri E. Satyanarayana 28-7-81.
31. Sri K. Anjaiah 28-7-81.
32. Sri N. Sudharashan Reddy 28-7-81.
33. Sri S. P. Raju 28-7-81.
34. Sri S. Lateef 28-7-81.

35. Sri K. K. Ram Rao 28-7-81.
36. Sri A. Matta Malle 28-7-81.
37. Sri K. Mohan Reddy 28-7-81.
38. Sri P. Krishnaiah 28-7-81.
39. Sri Md. Faquiroddin 28-7-81.
40. Sri Md. Habceebuddin 28-7-81.
41. Sri G. Rama Lingiah 28-7-81.
42. Sri G. Samial 28-7-81.
43. Sri Syed Khaja Miya 28-7-81.
44. Sri Syed Ahmed Hussain 28-7-81.
45. Sri V. Ramulu 28-7-81.
46. Sri G. Kotiah 28-7-81.
47. Sri B. Rama Swamy 28-7-81.
48. Sri N. Lazarace 28-7-81.
49. Sri Md. Ameer Afkhan 28-7-81.
50. Sri S. Boyoju 28-7-81.
51. Sri P. Kornel 28-7-81.
52. Sri K. Biksharraiah 28-7-81.
53. Sri Ch. Lelleaah 28-7-81.
54. Sri K. Sunder Rao 28-7-81.
55. Sri Ch. Nageshwar Rao 28-7-81.
56. Sri D. Rubhen 28-7-81.
57. Sri D. Rayof 28-7-81.
58. Sri M. Lingaiah
59. Sri D. Nagaiah 28-7-81.
60. Sri D. Nageshwar Rao 28-7-81.
61. Sri K. Murabari
62. Sri B. Anjaiah 28-7-81.
63. Sri T. Ranga Chary 28-7-81.
64. Sri G. Gurvaiah 28-7-81.
65. Sri S. K. Mahaboob Ali 28-7-81.
66. Sri M. Rajaiah 28-7-81.
67. Sri P. Narsaiah 28-7-81.
68. Sri Nazeer Ahmed 28-7-81.
69. Sri E. Tirupathiah 28-7-81.
70. Sri J. Subba Rao 28-7-81.
71. Sri Md. Basheeruddin 28-7-81.
72. Sri K. Ramulu 28-7-81.
73. Sri G. Veera Swamy 28-7-81.
74. Sri A. Pratap 28-7-81.
75. Sri Y. Srawan Kumar 28-7-81.
76. Sri L. Narsimulu 28-7-81.
77. Sri P. Pullaiah 28-7-81.
78. Sri P. Narsaiah 28-7-81.
79. Sri B. Narendra Chary 28-7-81.
80. Sri K. Jan 28-7-81.
81. Sri E. Saidulu 28-7-81.
82. Sri P. Prasad 28-7-81.
83. Sri Ch. Srinivasa Chary 28-7-81.
84. Sri M. A. Raoof 28-7-81.
85. Sri A. Kula Shekar 28-7-81.
86. Sri V. Nageshwar Rao 28-7-81.
87. Sri R. Lazzar 28-7-81.
88. Sri Md. Jaffer 28-7-81.
89. Sri L. Rajarathnam 28-7-81.
90. Sri S. K. Babu 28-7-81.
91. Sri V. Krishnaiah 28-7-81.
92. Sri B. Gopala Rao 28-7-81.
93. Sri Md. Afzal Hussain 28-7-81.
94. Sri M. Narsimha 28-7-81.
95. Sri Ch. Prakasha 28-7-81.
96. Sri M. Narasinga Rao 28-7-81.
97. Sri D. Satyanarayana 28-7-81.
98. Sri Ch. Prathap 28-7-81.
99. Sri M. Sivalingam 28-7-81.
100. Sri G. Naraimna 28-7-81.
101. Sri Md. Khaja Moinuddin 28-7-81.

102. Sri K. Venkanna 31-12-1977.
103. Sri G. Venkataiah 28-7-1981.
104. Sri SK. Janimiah 27-7-1981.
105. Sri Sk. Shamshuddin 15-7-1981.
106. Sri Sk. Hassan Ahmed 15-7-1981.
107. Sri R. Yadagiri Rao 28-7-1981.
108. Sri Md. Razbool Pasha 28-7-1981.
109. Sri Md. Abdul Gani 28-7-1981.
110. Sri Md. Siddiqui 23-2-1981.

This reference was registered as Industrial Dispute No. 33 of 1982 and notices were issued to both the parties.

2. It is mentioned by the Workmen in their claims statement that 110 workmen were appointed as watchmen on daily rate basis for the last several years. According to them they were directed to work under different names so as to create break of service and thus to avoid the workmen getting permanent status in the Corporation. It is stated that the Head Office had issued instructions in December 1977 to give regular scales of pay to Class IV and Class III employees by treating the appointments as adhoc appointment and the Food Corporation of India Employees sought regularisation. It is pointed out that the Respondent kept quite without taking any action and without regularising these appointments.

3. Thus the Petitioner-Union took up the cause for regularisation of services of watchmen and also payment of wages for weekly offs etc. It is pointed out that instead of settling the demand of the Union, the Management terminated the services of the workmen from 28-7-1981 without any notice and also without paying any retrenchment compensation. It is also alleged that the Respondent did not issue any termination orders also. It is contended that the said termination of the said workmen is illegal and in violation of Section 25F of the I.D. Act.

4. It is further contended that no settlement could be reached at the conciliation meeting and the matter was referred by the Government to the Tribunal. It is pointed out that the termination of 110 workmen is contrary to Section 25F and the same is not bona fide. It is also contended that the same is contrary to Sections 25F, 25H and 25N and the I.D. Act. It is brought to the notice of the Tribunal in the claims statement that the workmen were unemployed ever since their termination and there is no alternative job for them. It is also pointed out by virtue of long service put in the Corporation, they became over-aged for other posts in other places.

5. It is therefore prayed to reinstate 110 workmen referred to in the Annexure with full back wages and other attendant benefits and grant such other relief or reliefs as deemed fit and proper. Annexure is also filed to show the details of the names of the workmen and also dates of termination.

6. On the other hand the Management filed a counter denying the allegations. The Management filed their own annexure along with the counter statement to show the dates of joining and the dates on which petitioner ceased to work.

7. It maintained that all the claimants being casual labourers were engaged on daily rated basis and they remained casual labourer throughout. It is mentioned that the nature of duties of labour and the nature of paddy procurement programme in a big measure is only casual feature and paddy procurement programme retained for a short period between 1977-78. According to the Management, the Petitioners were employed to keep watch and guard the open hired godowns. Their duties are seasonal and the stock will not be held in open storage for long as they have to shift at any time to cover godowns or places where they have to be supplied. According to the Management the services of these claimants were engaged for watch and ward purpose to assist regular watchmen and the details of attendance of claimants are mentioned in Annexure I attached to the counter. According to the Management the claims of 90 casual labourers are liable to be negatived at the very outset as they do not fulfil the requirements of

law to claim permanent in service and consequential benefits under either Section 25F or under Section 25FFF of the I.D. Act. It is contended that the Circular issued in December 1977 is not applicable to the Petitioners as they do not satisfy the requirements of the Circular.

8. It is the case of the Management that the judgment in I.D. No. 13 of 1978 with reference to casual labourer of Nellore in similar circumstances became final in view of the dismissal of Writ Petition No. 321 of 1981 by the High Court and the said judgment therefore operates as res-judicata. Moreover, it is the case of the Management that the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur (M.P.) in Case No. COI T/JC(R) 15 of 1977 held that the workmen placed in similar circumstances are casual labourer vide judgment dated 18-4-1978.

9. It is mentioned that Food Corporation of India took the policy decision to close down the open storage system and the workmen in this case are not entitled to any prior notice or retrenchment compensation. According to them there is ban order on recruitment of Class III and Class IV employees from 21-1-1978, and there are Food Corporation of India Staff Regulations, 1971 prevailing. It is denied that there is any violation of Section 25F, 25G and 25N of the I.D. Act or any other provisions. According to them the claim is liable to be dismissed and the reference should be answered in the negative.

10. On behalf of the workmen, 13 witnesses were examined as W.W. 1 to W.W. 13. W.W. 1 is one A. Rangaiiah General Secretary of the Food Corporation of India, HRM Employees Engineering and Hamali Workers' Union, Nengonda. According to him their union represented the workmen. It is his case that in the first instance 50 workmen were retrenched, then he addressed a letter to the Senior Regional Manager, Food Corporation of India as per Ex. W1 office copy. There afterwards he came to know that some other witnesses were retrenched in other places. Then he addressed Exs. W2, W3 and W4 office copies to the Management authorities concerned. According to him Ex. W5 is the copy of the statement furnished by him at the joint discussions held in the Regional Commissioner Office (Central) and marked Ex. W6 as the minutes of the joint meeting held on 28-10-1981. It is his case that the talks failed as per the report Ex. W7 was sent to the Government.

11. According to him they furnished the dates of appointment and termination of every workmen and at the time of appointment all these workmen are in possession of Employment Exchange Cards and they verified along with their educational qualifications at the time of appointment.

12. He mentioned that the open godown continued for one year after these retrenchments and even on the date of deposition, open storage godowns were existing at Kodad Alir, Nandimunur and M.R.M. in Miryalguda. According to him permanent open storage godown situated at Alir, Nandimunur and M.R.M. Miryalguda. It is his case that the management is also storing in State Ware Housing Corporation Depots in Venkatadripalem. According to him the names of workmen were changed in Ex. W5 statement though they were continuing in the same work. He admitted that Ex. M1 shows the godowns and the dates of their closure according to the Management's view, asserted that the Bhongir Godown closed in 1982 but not in 1981. According to him Ex. W5 prepared on the basis of particulars of the Wage Register of the F.C.I. He asserted that all these workmen were paid on monthly wages and they are not daily rated labourers. He also denies that the open storage godown are not permanent.

13. W.W. 2 is one Sri K. Ram Mohan who was workman in Nalgonda Depot of Food Corporation of India. According to him they were all working continuously in 1980 and that his name was changed to Babu and he signed in the Registers as Babu as requested by the Management on the ground that their services should not be continued continuously. According to him, Arif, Ahmed, Mohan Reddy and Yousuf Ali were also signing in changed names similarly and that they were all unemployed since the time of their termination. He admitted that his signature is taken as Ram Mohan and in 1980 March, April and May he signed as K. Babu and received the wages. According to him he

worked as Watchman for the entire premises consisting of the Godown and open storage. According to him the stocks in open storage of the D.C.M.S. Nalgonda were lifted in July 1981 when his services were terminated. According to him he studied upto 10th Class by 1976 and some of the permanent watchmen were only 7th class passed and 8th class passed.

14. W.W.3 is one A. Mohan Reddy. He worked as casual labourer in Nalgonda Depot from 16-10-1977 continuously. According to him he knew casual labourers who worked at Nalgonda Depot along with him. According to him in 1980 his name is changed as Linga Reddy or Laxma Reddy and he was just asked to sign and receive wages in that name and he was not given any notice nor paid retrenchment compensation while terminating his services. According to him, he is No. 2 in the reference of adjudication and he was working from 1977. According to him, he received his wages in April, 1980 and May, 1980 signing his name as Linga Reddy as instructed by one Jagannatha Rao. He denied the suggestion that stocks were lifted by auction purchasers that after receiving retrenchment compensation they were terminated.

15. W.W.4 is one Sri K. Ramulu who worked as Watchman at Miryalguda Depot till he was removed in 1981. It seems that he was removed without notice and no compensation was paid and since then he was unemployed. According to him when the stocks were being lifted and fresh stocks later to be received in the godown from Suryapet and other places. He denied the suggestion that they were removed as the godown was wounded up after the entire stocks were lifted. According to him they were 56 permanent watchmen in those godowns.

16. W.W.5 is one Sri S. K. Nazeeruddin who deposed that he was watchmen in Miryalguda Depot and persons mentioned in Ex. W5 worked as Watchmen along with him and his services were terminated from 28-7-1981 without notice. The witness mentioned that he is named as Nazeeruddin only even in F.C.I. records and not as Nazir Ahmed as shown in Item 68 of the records.

17. W. W. 6 also deposed that he along with 22 persons worked as Casual Watchmen in Suryapet Depot and the workmen at S. Nos. 42 to 62 were his colleagues who worked as Casual Labourers. According to him he is 10th class failed. He mentioned that the Godown at Suryapet were E5 to E11 sheds of Infrastructural Corporation and the F.C.I. vacated all those sheds and premises. According to him from July 1981 to the end of 1981 the stocks were removed from all those godowns.

18. W. W. 7 is one Md. Ghouse who worked as Watchman in Hazurnagar Depot. According to him S. Nos. 15 to 24, 26 and 27 were the workmen who worked with him and all of them were removed in July 1981 without notice and compensation. According to him they worked in the open storage godowns belonging to C. M. Society and Narsa Reddy open land maintained by F.C.I. According to him his signatures used to be taken on white papers instead of taking them in the Attendance Registers. They worked along with the permanent watchmen in shifts. It is his case that he passed 6th class and, they were paid once in a month at Rs. 4.00 per day. According to him on Sundays also they worked and they were also paid salaries on Sundays but they were not paid on rest days.

19. W. W. 8 is one Y. Kishan who worked as Watchman in Alir Depot. He mentioned that he knew applicants S. Nos. 10 to 14, 74 to 76 and all of them were removed in July 1981 without any notice or compensation. According to him he was offered compensation of Rs. 150.00 in February 1982 and he refused to receive it. He mentioned that he passed 8th class in 1977.

20. W. W. 9 is one Shaik Lateef who worked as Watchman in Nedimanur Depot from 1978. He mentioned that he knew the other workmen at S. Nos. 28 to 33, 35, 36, 37, 39 and 40. According to him all were removed without notice and their signatures used to be taken on sheets like Ex. M2. He passed 7th class in 1973.

21. W.W. 10 is one Shaik Janimia who worked as Watchman in F.C.I. Godown, Kodad from 9-11-1975. It is his

case that he was removed from service in 1978 along with others and he was taken back into service again and continued till the termination order is passed on July 1981. According to him he knows other watchmen mentioned in S. Nos. 63 to 67, 83 to 89, 90 to 92 and 102 to 104 of the reference. According to him there was no retrenchment notice and no compensation was paid. He asserted that Attendance Register was maintained and he used to sign the registers while entering the duty. According to him they worked continuously for more than 240 days in a year in 1976 and 1978 for some days he was put in as casual labourer and again as Watchman. According to him some of their colleagues and himself were stopped from service in 1981 though there were stocks in the open godown and denied the suggestion that they were removed as stock was dwindling and as there was no work. According to him he passed 7th class in 1973 and registered himself in the Employment Exchange at that time.

22. W. W. 11 is one M. Narsimha who worked as Watchman along with others at Bhongir Depot till August 1981. According to him he failed 10th class and he had employment card lapsed.

23. W. W. 12 is one Shaik Shimsuddin who worked as Watchman in Macherla in F.C.I. from April, 1980. According to him, he was terminated on 16-7-1981. It is his case that no notice was given for the termination. He and along with others were also removed. He deposed that he failed in 8th class.

24. W. W. 13 is one R. Yadagiri Rao who worked as Watchman in Chityal in 1977 and he mentioned that he knew persons at S. Nos. 108 and 109 who worked as Watchmen and he used to sign in the Attendance Register. It is his case that he was removed from 28-7-1981 without notice and without any formalities. He mentioned that Ex. M4 is the acquittance rolls maintained in this regard.

25. On the other hand, for the Management M. W. 1 is one N. Rajagopal who worked as Assistant Grade I Depot incharge of open yard Mecharla from June 1979 to September 1981. According to him the Railway Open Yard used by them as transit shed for unloading stocks consigned to Nalgonda. According to him, the workmen at S. No. 105 and 106 were temporary watchmen and he used to pay their wage and take their signatures on acquittance register. Ex. M5 consist of two sheets contained the attendance particulars. He also states that Ex. M6 attendance extract particulars for the watchmen. According to him they were two covered godowns at Nedimanur where he worked from 4-7-1981 to August 1982. According to him open yard godown known as Linga Reddy godown which was under the control of F.C.I. was handed over to the owner on 19-10-1981. Ex. M7 is filed to show that the same was handed over to the owner. He conceded that he did not bring the acquittance sheets to show the payment for the earlier months.

26. M. W. 2 is one B.B.L. Narsimha Rao presently working as Manager Grade I Depot at Visakhapatnam. According to him he worked during June 1979 till December 1980 as Manager Grade I Depot Nidemanur. According to him there were three scattered depots under the Central F.C.I. at Nidemanur. Two of them are covered and third one is open storage. He mentioned that 15 to 20 watchmen were working in those three godowns out of which 10 were permanent watchmen and the temporary watchmen assist in safeguarding the stocks. It is his case that S. Nos. 28, 30, 31, 33, 35 and 39 were temporary watchmen. They were signing in the muster and he used to disburse their wages. According to him S. No. 28 did not turn up for work from 1-3-1980 and S. No. 31 did not attend from 10th May 1980 onwards. It is also his case that S. No. 39 was absent from 1-6-1980 onwards. He further deposed that S. No. 35 was absent from 13-9-1980. S. No. 33 was absent from 9-10-1980. S. No. 30 was absent from 8-11-1980 onwards. According to him payments were made as per the number of days present. He marked Ex. M8 contains two sheets of acquittance or payment made to these watchmen. He also marked Ex. M9 to M 18 as the attendance sheets maintained for the months with reference to the workmen and Ex. M 19 is the extract reflecting all these particulars. According to him Ex. M 15 contains the correct statement prepared by his assistant during his absence,

and it showed that Janimiah was present on 1st and 2nd September and that it was noted as terminated as 89 days completing. According to him he was marked present again on 15-9-1980 and there was similar termination with reference to Md. Siddiqui as noticed in the exhibit. He also mentioned that Exs. M 16 M 17 and M 18 contain the certain termination endorsements and stated that he did not prepare Ex. M 19 extract.

27. M. W. 3 is one G. H. Adil who is working as Assistant Grade I Depot, Sanathnagar. According to him, in June 1976 to May 1982 he worked as Assistant Manager Grade I Depot at Huzurnagar. He conceded that they were two open yards known as C.M.S. open yard and another Narsa Reddy open yard by F.C.I. at that place. According to him, they were six permanent watchmen and six temporary watchmen for these godowns. According to him at Huzurnagar S. Nos. 15 to 22, 24 to 27 were temporary watchmen and under his supervision, attendance was marked to them. He marked Exs. M 20 to M 28 are the attendance sheets for those watchmen and Exs. M 29 to M 37 are the acquittance particulars. According to him Ex. M. 38 is the receipt indicating that he handed over the empty open yard to C.M.S. and Ex. M39 is the similar acknowledgement for handing over the empty open yard to Narsa Reddy and Ex. M40 reflected all these particulars. According to him he did not prepare Ex. M40 and it is prepared at the District Office. He conceded that he was sending the attendance report of casual workers. According to him there was no casual labourers when the depot was closed.

28. M.W.4 as one B. Jagan Mohan Rao who is presently working as Assistant Grade I Depot at F.C.I. Bhimavaram. Previously he was working as Nidemanur Godown from December 1979 to May 1981. He mentioned that the petitioners in S. Nos. 29, 32 to 37 and 40 worked in Godown as Watchmen on daily wages. He also mentioned that Petitioner S. No. 110 Md. Siddiqui worked during that time and Ex. M41 is the attendance rolls made payments to these workers. Ex. M42 and M43 are also similar attendance rolls. According to him all these temporary watchmen also used to sign in the log book while entering the duty and the attendance register was also maintained for them. According to him, he terminated some of the workmen as they were frequently absenting as shown in Ex. M42. He mentioned that Ex. M43 is prepared by District Office

29. M.W. 5 is one Y. Ratnaswamy who is working as Assistant Manager Depot in F.C.I., Eluru and in June, 1979 to November 1980 he worked in Suryapet as Assistant Depot Manager. According to him there were 16 workmen on daily wages in that Suryapet Depot. He contends that one open godown storage, Mini godown and four hired mills were under the F.C.I. According to him, petitioner as S. Nos. 41, 46 to 49, 51, 52, 54 to 62 in the reference were daily rated watchmen in their Depot. He marked Exs. M44 to 51 as the acquittance sheets for payments made by him, and Ex. M52 to M54 Attendance sheets prepared by him and Ex. M55 to M57 are the attendance sheets signed by his Assistant during his absence on tour. According to him Ex. M58 is the statement prepared by the District Office on the basis of these attendance Reports. He marked Ex. M59 is the G.O. and other records to be maintained. According to him as per that G.O. attendance registers has to be retained for one year. He conceded that he never passed any orders for destroying the attendance registers after lapse of one year.

30. M.W.6 is one B. Jagannadham who worked as Assistant Grade I Depot Manager during 1977 to 1980. It is his case that Petitioner S. No. 2 did not work under the assumed name of Laxma Reddy or Linga Reddy in April and May 1980 and Petitioner No. 1 never worked in the name of Resheed in their Depot during the period February, March April 1980. According to him, Petitioner No. 3 Md. Yousuf Ali never worked under the name of Babar in the months of March, April and May 1980. He also deposed that Petitioner No. 4 Ram Mohan never worked in the name of K. Babu from March 1980. He marked Ex. M60 acquittance sheets for those petitioners.

31. M.W. 7 is one K. M. Haq who worked as Assistant Depot Manager at Kadad in February 1981 to April 1982 and at Alir during December, 1978 to February 1981. It is his case that there were 12 permanent chowkidars at Alir

and he used to employ casual labourer also. He mentioned that workmen at S. No. 74, 75, 76 were working at Alir during his period and they were only casual labourers used as watchmen. He marked Ex. M61 and M62 as attendance sheets maintained for the workmen and Ex. M63 and M64 as acquittance sheets for payment made to them. According to him they were three godowns in Alir and they vacated one of the godowns to the owners on 15th October 1980 under Ex. M65. He mentioned that workmen at S. Nos. 74 and 75 were engaged till the end of November and December 1980 while the workmen at S. No. 76 Narsimulu was engaged till February 1981. Similarly at Koded he mentioned that workmen at S. Nos. 63, 65, 84, 86, 88, 91, 92 and 94 were working on casual basis. He filed the attendance extracts as well as the acquittance sheets maintained for the same as Exs. M66 and M67. It is his case that due to liquidation of stocks there was less work and the services of these people were dispensed with. He mentioned that there are no instructions to terminate whenever the workers complete 89 days continuously. He denies the suggestion that they show a break of service under the instructions of the higher officers.

32. M.W.8 is one Md. Fazalur Raheman was the Assistant Grade II Depot for the open storage kept at Alir from June 1978 to October 1982. According to him workmen at S. No. 10 to 14 were working as casual watchmen during that period and the workmen at S. No. 10 to 13 worked till the end of July 1981. He marked Exs. M65 and M69, M70, M71 and M72 as acquittance sheets and the attendance sheets maintained for them. According to him S. No. 14 Khaia Mohindin worked for one or two months in 1978 and in 1979 he worked for five months and there afterwards he worked for three months in 1981. Ex. M73 is the extract of attendance prepared. It is his case that at S. Nos. 10 to 13 were offered retrenchment compensation but they did not receive it. He marked Ex. M74 as communication to the Depot Manager in this aspect.

33. M.W. 9 is one V. K. S. Sharma who worked as Assistant Grade I Depot from March 1981 to March 1982 at Nalgonda. He mentioned that there were two closed godowns and one open storage and they were 16 permanent watchmen and petitioners S. No. 1 to 9 worked as temporary watchmen. It is his case that as they were no stocks at the end of July 1981 temporary watchmen were removed. Exs. M75, M76 to M79 are the acquittance and receipt of payments and Ex. M80 the attendance extract filed by him in this regard.

34. M.W. 10 is one K. C. Chellapathi who was working as Grade II Depot at Neredcherla from 10-7-1979 to 31-7-1981. It is his case that the workmen in S. Nos. 77, 79, 80, 81 and 82 worked as casual labourers assisting the regular watchmen at the depot. He deposed that the said storage is open one kept at the market yard by July 1981 the entire stock was liquidated and the depot was closed. Ex. M81 is the acquittance sheet and Exs. M82 and M83 are the attendance sheets maintained by him for these workers. Ex. M84 is the extract of attendance relating to the workmen.

35. M.W.11 is one M. C. Maremma who is the present District Manager for the F.C.I., Nalgonda. According to him his office was registered under shops and Establishments Act and he filed Ex. M170 a certificate issued by the Assistant Labour Office under the Act. He marked Ex. M171 as the copy of the G. O. issued by the Government exempting their office from the provisions of the Act except Sections 1, 2, 3, 30 and 31. He also filed Exs. M172 and M173 as the subsequent G.O. issued in this regard. According to him in 1976-77 there was unprecedented bumper crop of paddy and they had to resort to open storage godown taking the open land and also accommodation from private parties on rent.

36. It is his case that open storage were situated at 10 to 12 places in Nalgonda District. According to him there was sanctioned strength of regular watchmen and they were engaging casual workers to protect and safeguard their property. According to him from 1978 to June 1981 there was liquidation of stocks in open storage by moving it from there Modern Rice Mills to custom milline and also for hire milling. It is his case that whenever there is stock reduction they gave instructions to reduce casual labourers who are employed as watchmen as per instructions of their Head Office. Ex. M174 is the said instructions. According to him the Depot Manager is to mark attendance and they used to re-

ceive attendance copies from District Office on the basis they were preparing the bills and forwarding the acquittance rolls to the respective depots. Ex. M86 to M89 are the bill registers and they show the attendance of individual workers. He admitted that he gave telegram on 28-7-1981 to all depots to discontinue the services of the casual labourers. He conceded that he did not verify the attendance register maintained by Depot Officers. It is his case that for the provisions of the Shops and Establishments Act as applicable to them, they are providing benefits to the workmen. He conceded that they are not granting casual leave to them because wages have to be paid as they are daily rated workmen. According to him about 30 to 39 workers were discontinued as per the telegram as per the information available to him and he denied that 76 workmen were discontinued on the basis of telegram. He also mentioned that he attended the conciliation meeting in the dispute and produced all required documents before him. He admitted that the casual labourers were performing more or less the duties of regular watchmen. But they cannot take disciplinary action against the casual watchmen. He also conceded that some of the casual watchmen were absorbed as regular watchmen after going through the required formalities such as educational qualifications, age, length of service etc., by calling through the Employment Exchange. According to him regular watchmen get wages for the holidays while the casual watchmen would not get an benefits as they were daily rated. He also mentioned that the casual workmen would be off duty for four to five days in a month depending upon the volition of the casual workmen.

37. The question to be seen now is whether the termination of the services of 110 workmen (which is actually 109 only) is proved with reference to the workman mentioned in the annexure to the reference with effect from the date 28-7-1982. The admitted facts of the case are that Food Corporation of India is established under an Act of Parliament in 1965 which deal with procurement, storage, maintenance, movement and issues of food grains, having its Head Office at New Delhi and also with Regional Office in all State Capitals, Nalgonda is one of the 12 District Office in Andhra Pradesh region with its Regional Office at Hyderabad. The said Food Corporation of India is registered under the Andhra Pradesh Shops and Establishments Act 1966 and Rules 1968. Ex. M170 is the Registration Certificate issued by Assistant Labour Officer under the said Act for the period from 1-1-1983 to 31-1-1984. Ex. M171 is the G.O.Ms. No. 153 dated 22-2-1977 of the Labour, Employment, Nutrition and Technical Education Department whereunder this Corporation was exempted from the provisions of the said Act except Sections 1, 2, 3, 30 and 31. Exs. M172 and 173 are the subsequent G.Os. issued by the same Department on 22-12-1978 and 11-11-1982. Under Ex. M172 the original G.O.Ms. No. 153 of the Department was further amended so as to include Section 3A of the A.P. Shops and Establishments Act for the purpose of renewal of the Registration of certificates. Under Ex. M173 the Food Corporation of India was also exempted from all the provisions except Sections 3 and 3A permanently. In other words after 11-11-1982 Food Corporation of India is only under the purview of Sections 3 and 3A of A.P. Shops and Establishments Act, 1966 for the purpose of state Act.

38. It is also admitted that by virtue of a telegram copy of which is marked as Ex. M174 the casual labourers who were discharging the duties of Watch and Ward were discontinued and the same is dated 28-7-1981 with reference to workers at Sl. No. 14 to 101 while the workers in Sl. No. 1 to 13 were terminated on 18-7-1981 and the persons at Sl. Nos. 103, 107, 108 and 109 were also terminated on 28-7-1981. The workmen at Sl. Nos. 105 and 106 were terminated on 15-7-1981 and person at Sl. No. 102 were terminated on 31-12-1977 and person at Sl. No. 110 was terminated on 23-2-1977 and workmen at Sl. No. 104 was terminated on 27-7-1981.

39. It is admitted that none of these casual labourers who were listed in the annexure to the reference are appointed as per service manual rules which is worked as Ex. M85 (F.C.I. Staff Regulations 1971 and Contributory Provident Fund Regulations 1967, Death-cum-Retirement, Gratuity Regulations 1967). It is found that they were appointed as Watchmen on daily payment wages.

40. Incidentally there is a small mistake that has crept in the reference itself and both side counsels pointed out that

the person referred at Sl. No. 67 and 78 is one and the same by name P. Narsish and thus the reference relates to only 109 persons though it mentioned under annexure by oversight as 110 persons in the said circumstances. So the award hereunder is with reference to 109 persons since Sl. No. 67 and 78 in the annexure referred to are one and the same person as conceded by both sides.

41. It is the simple case of the Union representing these workers that these persons were working as Watch and Ward on daily wages since a long time and they requested for regularisation of their services in the regular scale of pay of Class IV and Class III employees by treating the appointment, as adhoc appointments under Food Corporation of India Staff Regulations, in view of their continuous service, but the same was refused and conciliation proceedings also failed and ultimately the matter was referred to this Tribunal as there was sudden termination of services of these workmen without any notice complying the provisions of Section 25F of the I.D. Act. According to workmen the Union made a representation on 4-8-1981 to the Management as per Exs. W1, W2, W3, W4 and W5 and the Management did not prepare to accept their proposal for regularising their services and no settlement could be reached. It is also pointed out that the Respondent with a view to cause break in service, terminated the services of the workmen without any bona fide or reasonable cause contradictory to the principles laid down under the I.D. Act.

42. The monthwise details of attendance of all the casual labourers who were involved in this are filed and marked Exs. M6, M19, M40, M43, M58, M67, M73, M80, M84, M144, M165 and M169 and their Attendance/Acquittance reports in original are also filed for these employees and the same are marked as Ex. M5, M8 to M16, M22, M23, M29 to M37, M44 to M57, M60 to M64, M66, M68 to M72, M81 to M83, M92 to M101, M192 to M125, M137 to M143, M149 to M154, M156 to M168. It is accepted that the instructions were issued on 28-7-1981 by the District Manager, Food Corporation of India, Nalgonda to all the Depot in-charged to discontinue the services of casual workers whose services were being utilised for Watch and Ward duties under Ex. M174. It is not the case of the Management prima facie that they were discontinued from the service as the stock position in food grains at various places where the services of casual workers were engaged from April, 1980 to July 1981 considerably decreased to justify the dispensation as is stated to be justified by marking Ex. M134. It is no doubt true that under Exs. M7, M38, M39, M65, M176 to M179, M127 to M130, M145 to M148 and M161 to M166 there was some indication that the open storage or covered storage units were handed over and taken over at various places by the Food Corporation of India. But it is not a case of dispensation of service due to the considerable decrease in stock position as is asserted. The telegraphic instructions dated 28-7-1981 and these exhibits referred to namely handing over and taking over of open storage units or covered storage units is with reference to the period from 1977 to 1981 and the same cannot be linked to the telegraphic instructions under Ex. M174 dated 28-7-81.

43. It is the accepted case that these 109 workmen were appointed as watchmen on daily rated basis for the last several years and there is evidence from W.W.1 to W.W.13 that some of these workmen working at various depots were directed to work under different names so as to create break of service and thus to avoid the workmen getting permanent status in the Corporation, on the other hand the Management says that the services of these claimants were engaged for the watch and ward to against the regular watchmen and under Annexure I attached to the counter-statement the claim of 90 casual labourers are liable to be negated at the very outset as they do not involve the requirements of law to claim permanency in service and consequential benefit either under Section 25F or Section 25FFF of the Industrial Disputes Act. It is contended that the Circular issued in December 1977 is not applicable to the Petitioners herein as they do not satisfy the requirements of the Circular. Under the Zonal Office Circular dated 20-12-1977 the question of regularising ad hoc temporary and daily rated appointments were made from time to time in all the region have been examined by the Zonal Manager and it is decided to permit the region to regularise the officials working on daily rate basis prior to 8-1-1976 with effect from 8-1-1976 and they also gave certain

guidelines with reference to the regularisation done earlier to be done subsequently. The case of the Management is that all the claimants were being casual labourers who were engaged on daily rate basis remained as casual labourer throughout seems to be not sustainable under the said Circular. It is no doubt true that the recruitment and appointment as regular employees of Food Corporation of India should be done in accordance with Food Corporation of India Staff Regulations 1971. The Management relied upon a ban order on recruitment of Class III and IV employees from 21-12-1978 and it is contended that it is a policy matter which cannot be violated. In other words there was no recruitment as such according to them within the meaning of Section 25F of the I.D. Act and thus there is no termination of service of an employee. This is begging the very question having employed people as watchmen on daily rated basis for the last several years.

44. The figures and particulars of attendance and acquittances furnished by both the Management as well as the Workmen on the basis of attendance reports and monthwise details concerned that 31 casual labourers i.e. S. Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 (S. No. 1 to 14), 42, 44, 65, 68, 70, 71, 72, 77, 80, 81, 82, 84, 92, 93, 94, 100 and 104 were dispensed with in the month of July 1981. Under Section 25F the Workmen in any industry who has been in continuous service for not less than one year shall be retrenched by the employer until the workman has been given one month's notice in writing indicating the reasons for retrenchment and stating that the period of notice has expired or that the workman has been paid in lieu of such notice wages, for the period of notice. The workman at the time of retrenchment should be paid compensation equivalent to 15 days average pay for every completed years of continuous service or any part thereof in excess of six months. So it is clear that the object of the section is a condition precedent to the retrenchment of workman. Reasons for retrenchment must be communicated and compensation equivalent to 15 days average pay for completed year of continuous service or any part thereof in excess of six months should be paid apart from giving one month's notice in writing. The requirement of Clauses (a) and (b) of Section 25F of the I.D. Act are mandatory in nature and are condition precedent for a valid order of retrenchment. On the other hand the learned counsel for the F.C.I. Sri Bharathi contended that Section 25FFF at best may be attracted of this case in view of the circumstances stated that due to decrease of stock storage, the open storage units were handed over to the respective owners and the stock position of various Depots came down to such a stage that any further engagement for any casual labourers in the month of July 1981 was found to be uneconomical and against the interest of the Corporation and thus compensation to workmen in case of closing down the undertaking in unavoidable circumstances is beyond the control of the employer within the meaning of the said Section.

85. Sri M. V. Bharathi for the Management also mentioned that Section 25F of the I.D. Act applies that termination of services which amounts to retrenchment as defined in Section 2(oo) of the I.D. Act. According to him, every case of termination of service does not amount to retrenchment under Section 2(oo). From the chart or annexure that is filed by the Management, it is clear that S. Nos. 11, 12, 17, 23, 24, 26, 30, 50, 51, 93 and 106 have completed more than 240 days continuously by 1977 itself; that S. Nos. 1, 17, 18, 20, 21, 34, 35 and 84 have completed more than 240 days in a continuous period of 12 months in 1979 and that S. Nos. 14, 16, 20, 34, 35, 36, 39, 41, 42, 54, 64, 82, 84, 87, 89 have completed more than 240 days continuous service in the year 1980. In other words S. No. 17 had a continuous service of more than 240 days in 1977 and 1979 and S. Nos. 20, 34, 35 had continuous service of more than 240 days in 1979 and 1980, that means the statement showing the details of attendance of the casual labourers for the year 1976 to 1981 in the jurisdiction of the District Manager, Food Corporation of India, Nalgonda working at various places like Nalgonda, Kodad, Alir, Mirvelonda, Huzurnagar, Nedimanur, Chitval, Survanet, Rhongir and Niredcherla as furnished indicate that as many as 30 casual labourers were in continuous period of 240 days in a calendar year and they are S. Nos. 1 (Reference No. 1), 11 (Ref. No. 104), 12 (Ref. No. 90), 14 (Ref. No. 88), 16 (Ref. No. 68), 17 (Ref. No. 69), 18 (Ref. No. 72), 20 (Ref. No. 71), 21 (Ref. No. 70), 22 (Ref. No. 18), 23 (Ref. No. 17),

24(Ref. No. 16), 26(Ref. No. 26), 30(Ref. No. 19), 34(Ref. No. 10), 35(Ref. No. 11), 36(Ref. No. 12), 39(Ref. No. 105), 41(Ref. No. 34), 42(Ref. No. 37), 50(Ref. No. 108), 51(Ref. No. 107), 54(Ref. No. 36), 64(Ref. No. 50), 82(Ref. No. 75), 84(Ref. No. 77), 87(Ref. No. 80), 89(Ref. No. 82), 93(Ref. No. 89), and 106(Ref. No. 109). Ex. W5 filed by the workers is prepared on the basis of particulars in the Wage Register of the F.C.I. Arif Ahmed shown at S. No. 1 of the Reference actually the management conceded that he worked for 207 days in 1979 as per the Annexure I and Ex. W5 it is mentioned that he worked for 361 days in 1977 and 298 days in 1978 and 285 days in 1979 and for 1980 for 293 days and the same person was shown for the purpose of break as Rasheed. Similarly the person Sri K. Ram Mohan shown at S. No. 4 in the reference that as per Ex. W5 was shown to have worked for 243 days continuously in 1976 and 363 days continuously in 1977 and 363 days continuously in 1978 and 280 days continuously in 1979 and 290 days continuously in 1980. He was shown for three months of changing name of K. Babu and A. Mohan Reddy at S. No. 2 in the reference who worked for 297 days in 1978, 330 days in 1979 and 290 days in 1980 was shown in the name of Laxma Reddy and Linga Reddy for two months in order to have a break and that Yousuf Ali at S. No. 3 in the reference worked for 363 days in 1977, 364 days in 1978 and 304 days in 1979 was shown a break of service in 1980 by showing his name as Md. Babar for three months as indicated in Ex. W5. For this the evidence of W.W. 2 and W.W. 3 and W.W. 1 basing upon Ex. W5 statement which is a copy of the statement furnished by W.W. 1 in the meeting regarding the days these retrenched employees worked containing the change of names of these persons was filed. On the other hand the Management through the evidence of M.W. 4 admitted that as per the instructions from the Head Office they were shown as breaks and re-appointments of workmen of continuous attendance of 90 days and that the watchmen used to sign in the log book while entering the duty and they used to maintain the attendance register apart from the log book. Further M.W. 6 is examined to show that Petitioner at S. No. 2 did not work under assumed name of Laxma Reddy and Linga Reddy in the months of April, May 1980 and he denied that Petitioner No. 1 under the name of Rasheed in the month of February and March, 1980 and that Petitioner S. No. 3 Mohd. Yousuf Ali never worked under the name of Babar in the months of March and April 1980 and Petitioner at S. No. 4 K. Ram Mohan worked in his name and did not work under the name of K. Babu for the months of March, April and May 1980. The original attendance registers are not filed before this Tribunal to verify these averments with reference to S. Nos. 1 to 4 regarding their working in changed names and also signing in the attendance registers as per the direction of superior authorities. The Management only provided the attendance and acquittance reports in original and in support of attendance of casual workers and also month wise details of attendance of all the casual labourers. The case of the Management is that as per the District Manager they used to receive attendance copies in the District Office and on the basis of that they were preparing the bills and forwarding the acquittance rolls along with their cheques to the respective Depots and marked Ex. M86 to 89 as the bill registers to indicate the attendance of individual workers. He conceded the Depot Incharge used to mark the attendance and they were not taking the signature of the casual labourers in the attendance registers. The said statement of M.W. 11 is contradictory when the Assistant Depot Managers are maintaining the attendance registers. The District Manager deposes that they were not taking signatures of these casual labourers in the attendance registers. On the other hand the evidence of Assistants is that they are having acquittance sheets prepared and they were maintaining the attendance sheets for the workers. M.W. 10 mentioned that he used to mark in the attendance registers for their attendance and based upon that attendance register they used to send the attendance reports like Ex. M82 to M83. He could not deny that the workers were also signing in the log sheets whenever the casual labourer attended. M. W. 9 mentioned the attendance where marked for the temporary watchmen and payments were made as per the attendance. M.W.8 mentioned that the casual workmen were also maintained attendance sheets and his supervision as per the acquittance sheet and he marked Ex. M68 to M72 as the attendance sheet maintained by him for their

attendance. He conceded on the basis of attendance sheets payments were made and they were sending the extract of the attendance particulars to the District Office. Even M.W. 7 admitted that they were maintaining attendance registers for the workmen and temporary watchmen were paid wages under their supervision and the temporary watchmen were also deputed along with the permanent watchmen for watching duties. He conceded that it took attendance particulars from the attendance register and he did not check before giving to the Tribunal whether they were correct or not. It is suggested to him that the attendance register were faked. He admitted that the daily rate watchmen used to sign in the log book whenever they reported to duty. Of course according to him they never signed in any other register. Thus the said log books were not produced before this Tribunal. So when there are no original log books containing their signatures filed before this Tribunal, when the attendance/acquittance reports showing attendance of the casual labourers marked under Exs. M5, M8 to M18, M20 to M23, M29 to M37, M44 to M57, M60 to M64, M66, M68 to M72, M81 to M83, M86 to M101, M102 to M125, M137 to M143, M149 to M154, M156 to M161 and M167 and M168 do not give the real picture about real persons. It is at the mercy of the Incharge Depot Managers and the original attendance sheets and the log book records are not filed. The payments based upon these acquittance reports which are prepared at the office of the District Manager will not show the correct picture about their attendance of the casual labourers. Similarly the monthwise details of attendance of workers filed showing the break of service as marked under Ex. M6, M19, M40, M43, M58; M67; M73; M80, M84, M144, M155 and M169 will only show that they were paid for the work when they were read along with Ex. M19, M91, M86 to M89. It is said from the evidence these witnesses for the Management that the attendance register has to be retained for one year as per Ex. M59 G.O. but there is no evidence to show that the said attendance registers were destroyed as per the G.O. as seen from the evidence of M.W. 5. Under Ex. M59 attendance register at S. Nos. 145 on page 12 of the said G.O. should be kept for one year and this is Circular meant for all Heads of Divisions. This is received in the District Managers Office, Nalgonda on 1-4-1982. So if the retention period recommended by the working group for records of common interest has to be maintained as suggested and Circulated on 1-4-1982, it must be deemed that before 1-4-1982 there was no such destruction and they have not shown this attendance register was kept for one year only. So if they have implemented the Circular Ex. M59 there should have been some records to show prima facie for the destruction was done by Unit Managers or Depot Incharge Managers of Food Corporation of India either at Alir, Chitaly Nalgonda, Nedimenur, Miryalguda, Huzurnagar, Kodad, Suryapet etc. but there is no such evidence. This dispute is referred on 3-5-1982 by the Government of India. So it is absurd to presume or to say that the original attendance registers were destroyed evidently they were not placed before this Tribunal by virtue of this G.O. Ex. M59 to draw the inference that they were presumed to be destroyed. When there is no assertion of destruction from depositions of M.W.1 to M.W.11 and when the said Circular Ex. M59 is dated 1-4-1982, while the order of reference is 3-5-1982 it must be presumed that Ex. W5 which was prepared by the workers on the basis of Attendance registers of the casual labourers has some relevance and that same was placed before the Conciliation meeting as seen from Ex. W6 which is dated 28-10-1981 and Ex. W7 showed failure of the talks is dated 10-11-1981.

46. As per general condition of service under Food Corporation of India marked as Ex. M85 every District is a Unit for recruitment for Category IV and every Head Office will be treated as separate Unit for purpose of promotion, reversion and retrenchment. Under Rule 9 in case of direct recruitment to post sanctioned for more than three months or to a post sanctioned initially for less than three months but extended beyond three months in case of Categories III and IV posts. The vacancy shall be notified to the Employment Exchange and all applications received shall be considered and promising candidates called for interview. Under Part 2 of General Administration category at page 48 of Ex. M85 with reference to watchmen-cum-godown keeper it is mentioned that he should be recruited directly and he should be Middle Class standard passed and those who are eligible to read and write instructions given to them will

be considered and the direct recruitment covers transfers on deputation also.

47. S. No. 23 P. Panmaiah was not at all a watchman either permanently or temporary working at Huzurnagar at any time. M.W. 3 asserted the same fact in the cross examination also. None of the monthwise details of attendance or attendance/acquittance reports as well as the original payment of bonus register referred above mentioned the name of P. Panmaiah who is mentioned at S. No. 23. At S. No. 38 P. Krishnaiah also did not work as casual labourer or permanent labourer at any time at Nedimnur godown as mentioned by the workers. Ex. M42 and M43 referred to the said other workers but not this person. There is no cross examination done to M.W.4 and when he stated that S. No. 38 never worked as Godown watchman either temporarily or permanently. M.W.5 similarly deposed that on the basis of Exs. M52, M53, M54, M55 to M57 that S. Nos. 43 and 53 never worked as watchmen either temporarily or permanently in godown in any capacity. S. No. 73 by name G. Veeraswamy is mentioned as if he worked at Miryalguda but actually the evidence of M.W.3, M.W.4, M.W.5 and M.W.6 coupled with those attendance reports filed by them would show that he never worked. Therefore, it is clear that five casual workers at S. Nos. 43, 53, 23, 38, 73 of the reference never worked at all in any centres. Hence they are not entitled to any relief.

48. According to W.W.4 basing upon Ex. W2 with its annexure in all 76 workmen were terminated suddenly by the District Manager with effect from 28-7-1981. It is admitted that there were such instructions to Depot Managers under Annexure 4 dated 7-11-1977 stating that continuous of daily rate watchmen be dispensed with immediately and compliance report to the office. As per Ex. W2 S. Nos. 23, 38, 43, 53 and 73 who never worked as born out by record in any capacity if they are excluded they are 71 workers who were said to be terminated by virtue of the notice to terminate given by the District Manager dated 28-7-1981 as per workmen. But M.W.11 in his deposition mentioned that about 32 to 39 workers were discontinued as per the telegram issued by the Depot Incharges as per his information. In Ex. W6 it is mentioned that in the minutes at the conciliation meetings held on 28-10-1981 that 76 watchmen working at various open storage depots and Modern Rice Mills, Miryalguda, Nalgonda District were removed with effect from 28-7-1981 without complying the provisions and subsequently the management terminated another 25 persons and the Union excluded 9 more employees whose services were also terminated illegally so as to show in all 109 were terminated. The Management on the other hand stated that only 48 watchmen were discontinued from service with effect from 28/30-7-1981 as open storage godown have been closed in the month of July 1981. It is contended for the Management that remaining 62 employees have left their services on their own record and they have not discontinued their services. The Management stated that they have not served retrenchment notice and not paid retrenchment compensation as they were permanent employees of the Food Corporation of India. The Management further conceded that only 48 employees out of 110 have put in more than 240 days in 12 calendar months and they are eligible for retrenchment compensation under the provisions of the I.D. Act. They also stated that they are prepared to pay retrenchment compensation due to the 48 workmen who have been put in one year continuous service but they mentioned that they cannot reinstate the employees as the open storage godown have been closed. The dispute at the conciliation stage failed because the Union wanted on the other hand that all the 110 employees should be reinstated with full back wages and continuity of service on the ground that the workers were illegally terminated their services without complying the provisions. It is also asserted that all the 110 employees have put in 240 days attendance, and that they are eligible for retrenchment compensation. Even in Ex. W-7 proceedings before the Government of India, it is conceded by the Management that 48 watchmen as per Annexure D in their reference have been discontinued from service with effect from 28/30-7-1981 as open storage godown have been closed in the month of July 1981 and the remaining employees listed in Annexure E to their reference left the service on their own accord. The particulars of all workmen with reference to attendance is furnished by the

management under Annexure 4. So it is not correct to say as M.W. 11 deposed that 32 to 39 workers were only terminated. Exs. W6 and W7 manifestly made out a case that 48 workers were conceded to have completed 240 days of the casual labourers by the Management and they were prepared to pay retrenchment compensation due to them as have put in more than 240 days in 12 calendar months in one year continuous service. Surprisingly that the said 48 cannot be spelt by me by the evidence available. But Ex. W7 the said 48 names of the workers were mentioned in Annexure D that was sent to the Government of India when the matter filed for reference to the Industrial Tribunal. So those 48 workers automatically are entitled for retrenchment compensation as a matter of law under the provisions of the I.D. Act. It is mentioned that retrenchment compensation was offered and accepted by casual labourers at S. No. 2 to 9, 13 and 19 as per the District Managers Annexure 1 Note 2, and retrenchment compensation was also offered but refused by the Casual Labourers at S. Nos. 1, 34 to 37, 56, 58, 95 and 96. Surprisingly S. Nos. 2 to 9, 11, 13, 19 of the Annexure 1 of the Management were not shown to have completed 240 days continuous service in a calendar year for being eligible for compensation. That means Annexure 1 showing that they have not worked for any time continuously for a period of 240 days, is incorrect. S. Nos. 1, 34 to 37, 56, 58, 95 and 96 were shown to have refused retrenchment compensation though offered. In other words retrenchment compensation can be paid only for those people who have put in 240 days continuous service in a calendar year. So as per Note 3 of Annexure 1 signed by the District Manager S. Nos. 1, 34 to 37, 56, 58, 95 and 96 are also entitled for retrenchment compensation apart from S. No. 2 to 9, 11, 13 and 19 who have completed 240 days continuous service in 12 calendar months. The workers evidence indicate that serial Nos. 2 to 9 were also not paid any retrenchment compensation as deposed by management witnesses. When the Annexure 1 of District Manager Note 2 showed that they (S. Nos. 2 to 9) were paid compensation must held to be incorrect. But it is useful to hold that must have completed 240 days continuously in a calendar year as per this own showing.

49. The Management took up a stand that the casual labourer at S. No. 68 of the reference is one S. K. Nazeeruddin and not Nazeer Ahmed who worked at Miryalguda and till that name is corrected, the case cannot be considered. It is absurd. In the Annexure given by the Management to the counter they mentioned him as Nazeer Ahmed at S. No. 16 of Miryalguda. So the technical objection that he is shown as S. K. Nazeeruddin and therefore he should be considered has no validity. The Management themselves referred him at S. No. 16 as Nazeer Ahmed correctly.

50. The Management took up the stand that S. No. 38, 88, 90 and 102 in Annexure I as per Note 4 were dispensed with during July 1981 but they were not entitled to any retrenchment compensation as they have not put in 240 days service as required under Section 25F of the I. D. Act. Surprisingly at S. Nos. 16, 17, 18, 20, 21, 38, 84, 87 and 89 were found in their chart Annexure I that they have completed 240 days. Thus to say that they are not entitled to any retrenchment compensation as they have not put in 240 days of service seems to be false and not tenable. Annexure I chart is signed by the Management personnel (Dt. Manager).

51. Under Note 1 to Annexure I the Management further contended that casual labourers at S. Nos. 10, 12, 14, 15, 17, 19, 22 to 33, 39 to 55, 57, 59 to 78, 80 to 83, 85, 86, 91 to 94 and 97 to 101, 103 to 109 have left the organisation on their own accord and hence they are not entitled to any retrenchment compensation.

52. The Management has taken stand that there is no recruitment within the meaning of Section 25F of the I. D. Act and there is also no termination of service of the employee in view of the regulation as there is ban order since the F.C.I. took a policy decision to close down the open storage system, the employees are not entitled for any retrenchment compensation or much less reinstatement and that the Corporation comes within the purview of Andhra Pradesh Shops and Establishments Act 1966 and the Industrial Dispute Act has no application. Section 3 and 3A of A. P. shops and Establishment Act are only made applicable for the purpose of registration and establishment and renewal of

registration certificate, Ex. M-1/1, M-1/2 and M-1/3 are relied for the said purpose. The Government has given exemption from the provisions of Shops and Establishments Act in favour of Food Corporation of India for regulating the conditions of wages, security of employment and also for the purpose of renewal as the registration is getting expired. In fact the entire conciliation proceedings Exs. W-6 and W-7 clearly indicate that the matter arises with reference to the workmen under Section 25F and it is directly attracted and even the learned counsel for the F.C.I. contended that Section 25FFF is only applicable in the instant case and he did not try to justify the argument that the I.D. Act had no application at all. On the other hand the Workers Counsel Sri Bishappaiah contended that Section 25F directly applies to this case. On a careful consideration of the entire provision Section 25F and Section 25FFF I have no hesitation to hold that Section 25F is only applicable to the present facts of this case and Section 25FFF relating to compensation of workmen in case of closing down of an undertaking had no application. The arguments that the Respondent after liquidation of entire stocks and after handing over of the godown/open storage units at all places closed down the said Depot godowns on various dates and therefore it comes directly under Section 25FFF is not correct and is not tenable. The Respondent F.C.I. is storing food grains in the godowns and even now having its own Watch and Ward at Huzurnagar, Kodad, Nalgonda and he also kept some food grains at State Ware Housing Corporation at Venkatachalam and Central Warehousing Corporation at Suryapet as admitted by the counsel for the Respondent. The contention that the regular watchmen could attend to limited watch and ward duties after the termination orders issued to them seems to be far fetched. The very orders issued indicated that they were directed to be terminated as continuous daily rate watchmen should be dispensed with immediately and they should not fill up any vacancies. The communication No. 24/13/77 Ext. dated 7-11-1977 issued to all the Assistant Depot Managers etc. never mentioned that the stock position at all centres has come down to such a low level as shown in Ex. M-134 and that limited watch and ward duties could be easily attended by regular watchmen. Therefore the contention that the stock position at all the Centres has come down as per Ex. M-134 and that consequentially after liquidation of the entire stocks and after handing over of the godowns and open storage units they were forced to close down some of the depots seems to be an after-thought. Moreover the information furnished by the Counsel that the Nalgonda Depot was closed on 5-3-1982, that Alir Depot was closed on 31-8-1982, that Huzurnagar Depot was closed on 4-5-1982, Suryapet Depot was closed on 31-1-1982, Kodad Depot was closed on 22-3-1982, Chitral Depot was closed on 15-2-1982 and some other depots like Nedimanur, Miryalguda, Bhongir and Macherla Depots were closed down in the end of 1981 will only fortify that on the dates of telegraphic direction to terminate their services i.e. 28-7-1981 there was no such closure of the depots and it is also evident that those depots were closed some time later in 1982 and in the end of 1981. Therefore, the alleged argument that the stock posi-

tion dwindled at the Centres and therefore they were forced to close down the Depots and that Section 25FFF applies to these facts is not correct. On a careful consideration I hold that Section 25F alone is applicable to the present facts. The learned counsel for the management relied upon the judgment reported in Writ Petition No. 1916/83 and dated 25-11-1983. His Lordship Sir P. A. Choudhary in *Md. Nazheruddin Sajid and others Vs. The State of Andhra Pradesh* represented by the Secretary to the Government, General Administration (Public Enterprises) Department, Secretariat, Hyderabad and A. P. State Textile Development Corporation Limited represented by the Managing Director, 3rd floor, Posnet Bhavan, Inak Road, Hyderabad. It was a case where Managing Director, A. P. State Textile Development Corporation Limited terminated certain staff of the Textile Corporation in view of the implementation of the programme contained in G.O.M. No. 168. In that case it was held that re-organisation or categorisation made by the Textile Corporation as an economy measure did not attract Section 25F of the I. D. Act and also did not attract Section 25FFF of the I. D. Act. In the same judgment it is held that non-compliance of Section 25FFF would not have effect of invalidating the action of terminating the services of the workmen; Unlike Section 25F where an employer is forbidden from terminating the services unless the condition mentioned in that Section are fulfilled. So in the instant case it is not a case where F.C.I. closed down of its Depots and it had unfettered right to close down without complying Section 25F all of a sudden. Telegraphic instructions were given by the District Manager for termination of services without complying the mandatory provisions. This is clearly in violation of Section 25F of the I. D. Act. Section 25F is very clear and no citation is required for this proposition. Thus I hold that S. No. 12 S. K. Babu (Ref. No. 90), 14 Md. Jaffar (Ref. No. 88), S. No. 17 V. Tirupathiah (Ref. No. 69), 22 Md. Ghouse (Ref. No. 18), 23 Durga Prasad (Ref. No. 17), 24 Md. Saleem (Ref. No. 16), 26 S. Biksham (Ref. No. 26), 30 K Kondal Reddy (Ref. No. 19), 39 S. K. Shamshuddin (Ref. No. 105), 41 S. K. Lateef (Ref. No. 34), 42 K. Mohan Reddy (Ref. No. 37), 50 Md. Magbool Pasha (Ref. No. 108), 51 R. Yadagiri Rao (Ref. No. 107), 54 A. Mattamallla (Ref. No. 36), 63 Md. Amir Khan (Ref. No. 49), 82 Y. Shrayan Kumar (Ref. No. 75) and 106 Md. Abdul Gani (Ref. No. 109) were shown in the Annexure I itself that they have completed more than 240 days and some of them deposed before this Tribunal to say that they did not leave the Organisation on their own accord, hence to say that they are not entitled to any retrenchment compensation seems to be far fetched and untenable and also incorrect. I hold that the above named watchmen are entitled for retrenchment compensation.

53. The following watchmen are not entitled since the watchmen have not completed 240 days continuously as required under Section 25F of the Act. Therefore their case is negated to that extent.

Management Annexure No.	Dispute Ref. No.	Name of Watchmen	Place	Period	Date of termination
1	2	3	4	5	6
10	83	Ch. Srinivasa Chari	Kodad	7/77 to 1/78	28-7-8
40	106	Sh. Hasan Ahmed	Macherla	10/80 to 2/81	15-7-8
60	46	G. Kotiah	Suryapet	8/79 to 12/79	28-7-8
61	47	B. Ramaswamy	"	8/79 to 12/79	28-7-81
62	48	N. Lazarus	"	9/79 to 12/79	28-7-81
63	49	Md. Ameer Khan	"	9/79 to 12/79	28-7-81
65	51	P. Karnel	"	9/79 to 12/79	28-7-81
66	52	K. Bikasamilah	"	9/79 to 12/79	28-7-81
68	54	K. Sunder Rao	"	10/79 to 2/80	28-7-81
69	55	Ch. Nageshwar Rao	"	9/79 to 12/79	28-7-81
70	56	D. Ruben	"	10/79 to 1/80	28-7-81
71	57	D. Royal	"	11/79 to 1/80	28-7-81
72	58	M. Lingaiah	"	10/79 to 2/80	28-7-81
73	59	D. Nagiah	"	11/79 to 12/79	28-7-81
100	98	Ch. Pratap	Bhongir	1/81 to 3/81	28-7-81
108	22	A. Sushaiah	Huzurnagar	4 days in 2/80	28-7-81

54. In other words when the entire matter is summed up out of 109 watchmen referred to in the dispute, the

following watchmen are entitled for retrenchment compensation :

Management Annexure No.	Dispute Ref. No.	Name of Watchmen	Place	Period worked	Date of termination
1	2	3	4	5	6
15	87	R. Lazzar	Kodad	3/79 to 5/80	28-7-81
25	27	M. Nagabhushanam	Huzurnagar	2/79 to 2/80	28-7-81
27	40	Md. Habeebuddin	Nidamanur	8/79 to 2/81	28-7-81
28	15	N. Saidulu	Huzurnagar	2/79 to 6/80	28-7-81
29	21	O. Lingiah	"	2/78 to 6/80	28-7-81
32	20	Md. Ismail	"	2/77 to 6/80	28-7-81
33	25	M. Seshagiri Rao	"	3/79 to 1/80	28-7-81
43	28	N. Satyanarayana	Nidamanur	2/79 to 2/80	28-7-81
44	29	Ch. Narasimha	"	7/79 to 2/81	28-7-81
45	30	E. Satyanarayana	"	11/79 to 11/80	28-7-81
47	31	K. Anjaiah	"	7/79 to 5/80	28-7-81
48	33	S. P. Raju	"	5/79 to 10/80	28-7-81
49	39	Md. Faqrudin	"	6/79 to 5/80	28-7-81
52	24	Md. Mahaboob Khan	Huzurnagar	7/79 to 7/80	28-7-81
53	35	A. K. Rama Rao	Nidamanur	11/79 to 9/80	28-7-81
55	41	G. Ramalingaiah	Suryapat	6/76 to 7/80	28-7-81
59	45	V. Ramulu	"	5/79 to 2/81	28-7-81
74	60	D. Nageshwar Rao	"	9/79 to 4/80	28-7-81
75	61	K. Murahari	"	11/79 to 8/80	28-7-81
76	62	B. Anjaiah	"	5/76 to 3/80	28-7-81
77	63	T. Rangachari	Kodad	2/77 to 3/81	28-7-81
78	64	G. Guravaiah	"	1/77 to 4/80	28-7-81
80	66	M. Rajalah	"	12/76 to 8/77	28-7-81
81	74	A. Pratap	Alair	10/79 to 11/80	28-7-81
83	76	L. Narasimhulu	"	3/79 to 2/81	28-7-81
85	67	P. Narasiah	Kodad	1/77 to 7/80	28-7-81
86	75	B. Narendra Chari	Naredcherla	7/79 to 6/81	28-7-81
91	85	A. Kulasskhar	Kodad	5/80 to 1/81	28-7-81
92	86	V. Nageshwara Rao	Kodad	12/76 to 5/81	28-7-81
94	91	V. Krishaniah	Kodad	5/80 to 6/81	28-7-81
97	95	Ch. Prakash	Bhongir	2/80 to 4/81	28-7-81
98	96	M. Narasinga Rao	Bhongir	9/79 to 3/81	28-7-81
99	97	D. Satyanarayana	Bhongir	2/80 to 3/81	28-7-81
101	99	M. Sivalingam	Bhongir	10/80 to 5/81	28-7-81
103	101	Md. Khaja Moinuddin	"	5/79 to 3/81	28-7-81
104	102	K. Venkanna	"	8/76 to 5/77	31-12-77
105	103	G. Venkataiah	Kodad	12/79 to 1/81	28-7-81
107	110	Md. Siddiqui	Ridamanur	12/78 to 2/81	23-2-81
109	32	N. Sudarshan Reddy	"	7/79 to 3/81	28-7-81

and also the Watchmen mentioned in Paragraph 40 and 42 of this award.

55. In workmen of the Straw Board Manufacturing Co. Ltd. v. M/s. Straw Board Manufacturing Co. Ltd., (1974 S.C. Labour Judgement Volume 11, page 91) it was held that when an industrial establishment is closed, it was held that the motive of closure cannot be questioned is pointed out that once the Court comes to the conclusion that there is a closure of an undertaking, the motive of the employer ordinarily ceases to be relevant and that no employer can be compelled to carry on his business if he chooses to close it in truth and reality for reasons of his own. The facts of the said judgement will not apply to the present case for the simple reasons, the facts which are discussed there are not identical to the present facts herein. There were two mills known as Straw Board Mill and Ragmal Mill and the Straw Board manufacturing company is a public limited company owing those two mills. The company closed the Straw Board Mill on the ground of non-availability of bagasse which is a raw material for the manufacture of straw board and terminated the services of the workmen of that Mill by stages. The question arose whether the straw mill as well as Ragmal Mill are parts of one single establishment. On

facts it was held that Ragmal Mill is capable of functioning in isolation. Therefore the Management to guard against unnecessary in convenience and avoid wastage or loss to the establishment closed the Straw Mill. In the instant case the termination was done on 28-7-1981 without any reason whatsoever by telegraphic instructions whereas the Depots were closed in the year 1982 as already mentioned above in most of the places. The learned counsel for the workmen further pointed out that the Food Corporation of India is yet again opening the storage centres at various places for procurement purposes involving movement of good grains and thus the termination of the services on the pretext of closure which was not there will not come in the guidelines laid down in the decision. I accept that the said judgment has no relevance to the present facts and the closure of the said open storage godowns at a latter stage cannot be linked to the termination done for a different purpose.

56. In Workmen of the Indian Leaf Tobacco Development Co. Ltd., Guntur v. Management of Indian Leaf Tobacco Development Co. Ltd. Guntur (1970 I.F. and L.R. Vol. 20 page 269) laid down that the Industrial Tribunal could not direct the employer to reopen or restart the part of the business by it if the closure was real and genuine

even under reference under Section 10(1)(d) of the I. D. Act. First of all it was a case where the closure was held to be genuine and real. Now I have already observed that in this dispute the workmen discharged are entitled to compensation under Section 25F and Section 25F-F had no application. Of course factually it is placed by the Corporation that Nalgonda Depot was closed in all respects on 5-3-1982. So the workers who worked at Nalgonda and who were terminated on 28-7-1981 should be paid full wages apart from the compensation as contemplated under Section 25F till 5-3-1982. Similarly the watchmen who worked at Alair who were terminated on 28-7-1981 should be paid wages till 31-8-1982 apart from the compensation as contemplated under Section 25F. Similarly the watchmen who worked in Huzurnagar Depot should be paid full wages till 4-5-1982 apart from the retrenchment compensation as contemplated under Section 25F. Similarly the watchmen at Noumanur Depot, Suryapet Depot, Kodaa Depot, Miryaguda Depot, Neredcherla Depot, Bhongir Depot, Machaela Depot, Chitral Depot should be paid full wages till 19-10-1981, 31-1-1982, 22-3-1982, 31-12-1981, August, 1981, 31-10-1981, September, 1981 and 15-2-1982 respectively with full wages and also retrenchment compensation under Section 25F of the I. D. Act. The question of directing the Food Corporation of India to re-open the closed depots or branches did not arise as they were subsequently closed for administrative reasons on the ground that the entire stock was liquidated at all those Centres and the said Godowns were also handed over to the concerned owners stating that they were not required there afterwards. Ex. M-134 which is statement showing the stock position of the various Centres from April 1980 to August 1981 even if accepted to be correct, it was not stated as a reason for terminating their services. No reasons was assigned for terminating them on 28-7-1981 and the closures were affected as already mentioned some time later. Therefore, they are entitled for full wages till the closure of the said depots in Nalgonda District numbering in all 11 Centres. Of course at Neredcherla Depot, it was closed in the end of August, 1981. Therefore there will be one month's additional payment of wages plus compensation to those workers of Neredcherla who are now held eligible till its closure. Similarly for Machaela since the Depot was closed on September 1981 the Watchmen who became eligible who worked there will be entitled for full wages for two months apart from the retrenchment compensation. All others will be entitled for compensation plus full wages at other depots in similar circumstances till the dates of closure. The judgment in that 1970 I.F. and L.R. Vol. 20 page 269 indicated that workmen who were discharged as a result of closure have been paid retrenchment compensation at the higher rate laid down in Section 25F. In the instant case, no such compensation was paid and the dates of closure and the dates of termination do not tally. Therefore the watchmen are entitled for full wages as they were paid till the date of termination to the date of closure and retrenchment compensation and the other benefits, if any, as contemplated under Section 25F.

57. In *State Bank of India v. Sundramoney* (1976 (I) LLJ, page 478) the question whether the workmen were retrenched within the meaning of Section 2(oo) of the I. D. Act was decided. The expression "for any reasons whatsoever" is also explained. It is held that the word "Termination" spells out retrenchment. So the sole question is whether the employee's services has been terminated? Verbal apparel apart, the substance is decisive. The termination is where a term expires either by the active step of the master or the running out of the stipulated term. It was held that the fact of termination, however, produced also comes under the word "Termination" under Section 2(oo). In that case reinstatement is held to be a necessary relief in the instant case so there is no termination by stipulation of time in the very order and "for any reasons whatsoever" are not mentioned in the termination to presume that there is some reason. So in the instant case the retrenchment or termination whatsoever was done by the Management, is done without any reasons whatsoever.

58. In *Gujarat Steel Tubes Limited v. G.S.T. Mazdoor Sabha* (1980 (I) LLJ, page 137) it was held that a workmen resorted to illegal and unjustified strike though the strike was held to be illegal and not justified and the termination of 853 workers by discharging them for reasons of misconduct in a integrated proceedings without separate individualised charge sheets affected passive participants in the strike and in such cases dismissal or punitive discharge is not warranted and that reinstatement should be given.

Of course the said fact had no application because there is discharge on account of misconduct on the question of reinstatement on those grounds did not arise in this case.

59. In *Mohanlal v. Bharat Electronics Limited* (1981 (2) LLJ, page 70) it was held that the termination of service of the appellant did not fall within any of the excepted, or to be precise, excluded categories and therefore, the termination would constitute retrenchment and thus the said termination is void. Of course in the instant case there is no termination or retrenchment since Section 25F of the I. D. Act or Section 2(oo) were not properly complied with. The said retrenchment or termination are held to be void and it is already held that they are entitled for the wages till the period when the Depots were closed.

60. In *L. Robert D'Souza v. Executive Engineer, Southern Railway* (1982 (1) LLJ, page 550) it is held that termination of service of a workmen for any reasons whatsoever would be retrenchment except if it falls within any of the excepted categories mentioned therein. It is also pointed out that if the name of a workmen is struck off from the roll that itself would constitute retrenchment. Hence it must be held in the given present circumstances that none of the excepted categories where the grounds for termination or retrenchment were stating and mere termination by telegraphic instructions by striking out the names from the rolls would not constitute retrenchment as laid down herein.

61. In *Gammon India Ltd. v. Niranjan Das* (AIR 1984 S.C. Page 500) when the service of the employee of the Company was terminated on account of recession and reduction in the volume of the work of the Company, as a termination do not fall in any of the excluded categories, it is held that it amounted to retrenchment and the before non-compliance of Section 25F would make it void. I respectfully accept the follow said judgement and hold that the termination is not in compliance of Section 25F and the backwages till the closure of the respective depots for the respective employees mentioned by me who have completed 240 days continuous service in a period of 12 calendar months should be paid.

62. *Sri M.V. Bharathi for the Food Corporation of India* relied upon the Supreme Court Labour Judgement 1968—70 Volume 7 at page 516 (M/s. Indian Hume Pipe Co. Ltd. v. their workmen) and contended that the Tribunal is not to enquire in the motive whether the closure was justified or not and closure as a matter of fact is sufficient. In the instant case, even according to the Management it is done on a different dates as stated supra. There is no whisper of closures in the termination orders given to workmen. Their names were merely struck from the rolls as they were daily rated workmen. Hence the question of closure did not arise on 28-7-1981 and the judgement has no application.

63. Next he relied upon 1970, I.F. & L.R. Vol. 20 page 269 and contended that Industrial Tribunal could not direct the employer to reopen or restart a part of the business closed by it. I am not asking the employer to reopen or restart the part of the business that was closed on the respective dates conceded by them. I am only saying that compensation for not complying Section 25F of the I.D. Act should be paid till the closure of the respective Depots. The closure compensation will arise only if Section 25FFF of the I.D. Act is applicable. It is already mentioned that Section 25F is only applicable to the instant case.

64. In *Crompton Engineering Co. v. Adnl. Labour Court* (1975 (I) LLJ, page 207) the question of non-employment of casual and temporary employees after the expiry of the period for which he was employed on the ground he was employed on more than one occasion was held that such termination cannot be questioned. It is a case where a casual workmen was reinstated on more than one occasion with breaks of service with specified periods. In the instant case, there is no such specified period and they are working for a long time continuously and they were showing breaks of service to avoid continuity and they failed to comply Section 25F of the I.D. Act while doing so.

65. He relied on *Anthra Prabha Ltd. Secy. Union of journalists* (1967 I.F. & L.R. page 435) It is a case where when a closure of an undertaking is made for all purposes for whatever motive the same would come into effect from that date. I respectfully follow that the closure has come

into effect from the respective dates shown of each depot. Till then but for this telegraphic instructions they would have been continued in service. The motive part of closure by fixing a date is not questioned. I am accepting the dates of closure as a accomplished fact as on today. But it is pointed out that till the dates of closure the workmen are entitled to be in service and also they are entitled for retrenchment compensation as contemplated under Section 251 of the I.D. Act.

66. The counsel for the workmen Sri G. Bikshapathi represented that the F.C.I. is contemplating to open new depots and all these watchmen who have put in long term of service and whose services were now terminated and who are not employed elsewhere may be directed to be considered for re-employment in those new depots which are being opened. The Food Corporation of India must be happy to have these experienced watchman to be taken into service if such a contingency arises as these workmen are experienced in the nature of work and still unemployed and they also have all the requirements of qualifications for being absorbed as per Regulations. I wish and hope that they consider this request of the workmen's counsel favourable if such a situation arises.

67. Therefore in the given circumstances. I hold that the following watchmen at S. Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 44, 45, 49, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 72, 74, 75, 76, 77, 79, 80, 82, 85, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 99, 101, 103, 104, 105, 107, 108, 109, and 110,

are entitled for retrenchment compensation from the date of their termination till the date of their closure of the respective Depots under Section 25F of I.D. Act.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 19-12-1984.

Sd/-
Industrial Tribunal

Appendix of Evidence.

Witnesses Examined

For the Workmen:

W.W. 1 A. Rangaiah
W.W. 2 K. Ram Mohan
W.W. 3 A. Mohan Reddy
W.W. 4 K. Ramulu
W.W. 5 S. K. Naseeruddin
W.W. 6 G. Samuel
W.W. 7 Md. Gouse
W.W. 8 V. Kishan
W.W. 9 Shaik Lateef
W.W. 10 S.K. Janimia
W.W. 11 M. Naresimha
W.W. 12 Shaik Shumshuddin
W.W. 13 R. Yadagiri

Witnesses Examined

for the Management:

M.W. 1 T.V. Rajagopal,
M.W. 2 B.B.L. Narsimha Rao
M.W. 3 G.H. Adil
M.W. 4 D. Jagan Mohan Rao
M.W. 5 Y. Ratna Swamy
M.W. 6 B. Jagannadham
M.W. 7 K.M. Haq
M.W. 8 Md. Fazalur Rahman
M.W. 9 V.K.S. Sharma
M.W. 10 K.V. Chalapathi
M.W. 11 M.C. Marenn

Documents marked for the Workmen:

Ex.W1 Letter dt. 4-8-81 addressed by A. Rangaiah, President, Food Corporation of India, M.R.M. Employees Engineering and Hamali Workers Union, Nalgonda to the Senior Regional Manager, Food Corporation of India, Hyderabad regarding illegal termination of services of casual watchmen.

Ex.W2 True copy of the Letter dt. 6-8-81 addressed by A. Rangaiah, President, Food Corporation of India, M.R.M. Employees Engineering & Hamali Workers Union to the Regional Commissioner of Labour (C) Himayat Nagar, Hyderabad, regarding illegal termination of workmen by the District Manager, Food Corporation of India, Nalgonda.

Ex. W3 Letter dt. 14-8-81 addressed by A. Rangaiah, President, Food Corporation of India, M.R.M. Employees Engineering and Hamali Workers Union to the Prime Minister of India, New Delhi regarding illegal termination of services of casual watchmen.

Ex. W4 Letter No. W.M./77/81, dt. 4-9-81 addressed by A. Rangaiah, President, Food Corporation of India, M.R.M. Employees Engineering & Hamali Workers Union to the Dist. Manager, Food Corporation of India, Nalgonda.

Ex.W5 Letter dt. 19-10-81 addressed by A. Rangaiah General Secretary to the Asstt. Commissioner of Labour (C), Hyderabad regarding the submission of list of retrenched employees of Food Corporation of India (M.R.M.) 11 Depots of Nalgonda District.

Ex. W 6 Minutes of the conciliation proceedings held on 28-10-81.

Ex. W 7 Failure of conciliation report dt. 10-11-81. Documents Marked for the Management.

Ex. M 1 Statement showing the Details of the open storage unit covered godowns take over and surrendered in Nalgonda District from 1-7-80 to 30-6-82.

Ex. M 2 Bill for payment of wages to casual Labour for November and December, 1980.

Ex. M 3 acquittance No. 80/81, dt. 5-2-82 and amount of Rs. 270/- paid to B. Gopal Rao, SK. Mahboob Ali and S.K. Janimia by the Management of Food Corporation of India, Nalgonda.

Ex.M 4 Acquittance Roll pertaining to R. Yadagiri for the month of September, 1978.

Ex. M 5 Attendance particulars of Macherla depot for the month of June, 1981.

Ex.M 6 Statement showing the details of Month-wise attendance particulars of casual labour at Macherla depot and Nidamanoor.

Ex.-M 7 Certificate issued by J. Linga Reddy to the Management of Food Corporation of India, Nalgonda regarding the delivery of the land.

Ex. M 8 Acquittance particulars for the month of May, 1980 and September 1980 with regard to Nidamanoor Depot.

Ex. M 9 Bill No. 179/80 dt. 7-2-80 with regard to payment of casual labour for the month of January 1980 pertaining to Nidamanoor depot.

Ex. M 10 Bill No. 11/80 dt. 3-4-80 with regard to payment of Casual Labour for the month of April 1980 pertaining to Nidamanoor depot.

Ex. M 11 Bill No. 32/8081 dt. 10-9-80 with regard to payment of casual labour for the month of August 1980 pertaining to Nidamanoor Depot.

Ex. M 12 Bill No. 36/80-81, dt. 4-11-80 with regard to payment of wages to the casual labour for the month of October, 1980 pertaining to Nidamanoor depot.

Ex. M 13 Attendance report of Watchman for the month of February 1980 pertaining to the Nidamanoor Depot.

Ex. M 14 Attendance report of Watchmen for the month of May, 1980 pertaining to the Nidamanoor Depot.

Ex. M15	Attendance report of Watchmen for the month of September, 1980 pertaining to the Nidamanoor Depot.	Ex. M35	Bill for payment of Casual Labour in the month of April, 1980 pertaining to Huzurnagar Depot.
Ex. M16	Attendance report of casual labour for the month of October, 1980 pertaining to the Nidamanoor Depot.	Ex. M36	Bill No. 18/80-81, dt. 8-7-80 regarding the payment of casual watchmen for the month of June, 1980 pertaining to Huzurnagar Depot.
Ex. M17	Attendance report of Watchmen for the month of November, 1980 pertaining to the Nidamanoor Depot.	Ex. M37	Bill No. 25/80-81, dt. 6-8-80 for payment of Casual Labour for the month of July, 1980 pertaining to Huzurnagar Depot.
Ex. M18	Attendance Report of Watchmen for the month of December, 1980 pertaining to the Nidamanoor Depot.	Ex. M38	Certificate dt. 18-11-80 regarding taken over and handedover the vacant open land at Huzurnagar Depot.
Ex. M19	Statement showing the details of monthwise attendance particulars of casual labour at Nidamanoor Depot.	Ex. M39	Acknowledgement dt. 4-5-82 from P. Narasimha Reddy to G.R. Adil AGI(D) Huzurnagar, regarding taken over the land.
Ex. M20	Attendance report of Casual Labour as Watchmen for the month of March, 1979, pertaining to Huzurnagar.	Ex. M40	Statement showing the details of month-wise attendance particulars of casual labour at Huzurnagar Depot.
Ex. M21	Attendance particulars of casual watchmen for the month of January, 1980 pertaining to Huzurnagar Depot.	Ex. M41	Bill No. 50/80-81, dt. 9-3-1981 wages to casual labour for February, 1981.
Ex. M22	Attendance report of casual labour for the month of January, 1980 pertaining to Huzurnagar Depot.	Ex. M42	Attendance report of watchmen for the month of February, 1981 pertaining to Nidamanoor Branch.
Ex. M23	Attendance Report of casual Labour for the month of February 1980 pertaining to Huzurnagar Depot.	Ex. M43	Statement showing the details of month-wise attendance particulars of casual labour at Nidamanoor.
Ex. M24	Attendance particulars of casual watchmen for the month of February, 1980 pertaining to Huzurnagar Depot.	Ex. M44	Bill No. 166/79, dt. 4-12-79 for payment of casual labour for the month of November, 1979 pertaining to Suryapet.
Ex. M25	Attendance particulars of casual watchmen at Huzurnagar centre from 1-4-80 to 30-4-80	Ex. M45	Bill No. 173/80 dt. 3-1-1980 for payment of casual labour for the month of 12/79 pertaining to Suryapet.
Ex. M26	Attendance particulars of Casual Watchmen for the month of June, 1980 pertaining to Huzurnagar Depot.	Ex. M46	Bill No. 173/80, dt. 3-1-1980 for payment of casual labour for the month of 12/79 pertaining to Suryapet.
Ex. M27	Attendance particulars of casual watchmen for the month of July, 1980, pertaining to Huzurnagar Depot.	Ex. M47	Bill No. 176/80, dt. 5-2-80 for payment of casual labour for the month of 12/79 pertaining to Suryapet.
Ex. M28	Attendance particulars of casual watchmen for the month of March, 1980 pertaining to Huzurnagar Depot.	Ex. M48	Bill No. 176/80, dt. 5-2-1980, for payment of casual labour for the month of 1/80, pertaining to Suryapet.
Ex. M29	Bill No. 173/80 dt. 3-1-80 regarding the payment of casual labour for the month of December, 1979 pertaining to Huzurnagar Depot.	Ex. M49	Bill No. 1/80 dt. 4-3-80 for payment of casual labour for the month of February, 1980 pertaining to Suryapet.
Ex. M30	Bill No. 173/80, dt. 3-1-80 regarding the payment of casual labour for the month of December, 1979 pertaining to Huzurnagar Depot.	Ex. M50	Bill No. 9/80, dt. 7-4-80 for payment of casual labour for the month of March, 1980, pertaining to Suryapet.
Ex. M31	Bill No. 175/80 dt. 1-2-80 regarding the payment of casual labour for the month of January, 1980 pertaining to Huzurnagar Depot.	Ex. M51	Bill No. 29/80-81, dt. 3-9-80 for payment of wages to casual labour for the month of August, 1980 pertaining to Suryapet.
Ex. M32	Bill No. 176/80 dt. 5-2-80 regarding the payment of casual labour for the month of December, 1979 pertaining to Huzurnagar Depot.	Ex. M52	Statement showing the attendance report of daily rated watchmen working at Food Corporation of India open storage unit Suryapet for the month of January, 1980.
Ex. M33	Bill No. 16/80 dt. 4-6-80 regarding the payment of casual watchmen for the month of May, 1980 pertaining to Huzurnagar Depot.	Ex. M53	Statement showing the attendance report and the bill of daily rated watchmen at F.C.I. open storage unit, Suryapet.
Ex. M34	Bill No. 16/80-81, dt. 4-6-80 regarding the payment made to O.Lingaiah, Huzurnagar Depot.	Ex. M54	Statement showing the attendance report of daily rated watchmen working at F.C.I. open storage unit, Suryapet for the month of December 1979.

- Ex. M55 Statement showing the attendance report of daily rated watchmen working at F.C.I. Storage Unit, Suryapet for the month of April, 1980.
- Ex. M56 Statement showing the attendance report of daily rated watchmen working at F.C.I. open storage unit, Suryapet for the month of February, 1980.
- Ex. M57 Statement showing the attendance report of daily rated watchmen working at F.C.I. Storage Unit, Suryapet for the month of March, 1980.
- Ex. M58 Statement showing the details of month-wise attendance particular of casual labour at Suryapet during the period from 6/79 to 11/80.
- Ex. M59 True copy of the circular No. 10-4(24)/79-OMISS dt. 15-10-79 regarding the proposed period of preservation of the various records (other than finance and Accounts Wing) maintained in the various divisions of the Head Office of F.C.I.
- Ex. M60 Bill No. 63/81-82, dt. 7-7-81 for payment of casual labour for the month of June, 81 payable at Nalgonda.
- Ex. M61 Attendance report of casual labour watchmen engaged for the month of November, 1980, pertaining to Aler depot.
- Ex. M62 Attendance report of casual labour watchmen engaged for the month of March, 1981 pertaining to Kodad Depot.
- Ex. M63 Bill No. 41/80-81, dt. 5-1-81 wages to casual labour for December, 1980 pertaining to Aler Depot.
- Ex. M64 Bill No. 40/80-81, dt. 30-2-1980, for payment of wages to casual labour for November, 1980 pertaining to Aler depot.
- Ex. M65 True copy of the receipt regarding the Take-over and handed over the Balaji Rice and Oil Mill Godown, Aler.
- Ex. M66 Bill No. 60/81-82, dt. 6-5-81 for the payment of casual labour, Watchmen pertaining to kodad Depot.
- Ex. M67 Statement showing the details of Month-wise attendance particulars of casual labour at Aler and Kodad.
- Ex. M 68 Bill No. 63/81-82, dt. 7-7-81 for payment of Wages to casual labour for the month of June, 1981 pertaining to Aler Depot.
- Ex. M69 Bill No. 50/80-81, dt. 9-3-81 for payment of Wages to casual labour, pertaining to Aler.
- Ex. M70 Attendance report of casual labour for watch and ward duties engaged for the month of July, 1981 pertaining to Aler depot.
- Ex. M71 Attendance report of casual labour watchmen engaged for the month of December, 1980, pertaining to Aler depot.
- Ex. M72 Attendance report of casual labour for watch and ward duties engaged for the month of February, 1981, pertaining to Aler depot.
- Ex. M73 Statement showing the details of month-wise attendance particulars of casual labour of Aler depot.
- Ex. M 74 Letter No. 1/Estt/ALR/81-82, dt. 20-2-82, addressed by Asst. Manager (Depot) Food Corporation of India, Aler to the District Manager, Food Corporation of India, Nalgonda regarding the returning of un-disbursed amount.
- Ex. M 75 Acquittance in respect of retrenched casual labourers.
- Ex. M 76 Letter dt. 25-8-81 addressed by Assistant Depot Superintendent, Food Corporation of India, Nalgonda to the Secretary, Agricultural Marketing Committee, Nalgonda, regarding the Handing over of Market Yard, Godowns.
- Ex. M 77 Letter dt. 27-8-1981 addressed by Asst. Depot Superintendent, Food Corporation of India, Nalgonda to the Business Manager the Nalgonda District Cooperative Marketing Society, Nalgonda regarding Handing over of D. C. M. S Godown.
- Ex. M 78 Handing over and taking over report of open land of F.C.I. open storage unit, Nalgonda.
- Ex. M 79 Letter dt. 5-3-1962 addressed by Asst. Depot Superintendent, Food Corporation of India, Nalgonda to the Business Manager, District Cooperative Marketing Society Limited, Nalgonda regarding the taken over the possession of the open land.
- Ex. M 80 Statement showing the details of month-wise attendance particulars of casual labour at Nalgonda.
- Ex. M 81 Bill No. 66/81-82, dt. 11-8-81 for payment of wages to casual labour for July 1981 pertaining to Nereducherla.
- Ex. M 82 Bill of casual labour engaged for watch and ward duties during the month of June, 1981 pertaining to Nereducherla.
- Ex. M 83 Bill of casual labour engaged for watch and ward duties during the month of July, 1981 pertaining to Nereducherla.
- Ex. M 84 Statement showing the details of month-wise attendance particulars of casual labour at Nereducherla.
- Ex. M 85 Staff regulations, 1971 of Food Corporation of India.
(By consent)
- Ex. M 86 Casual labour register for watchman duties for the period from June 1974 to March 1976
(by consent)
- Ex. M 87 Casual labour Register for Watchmen duties for the period from April, 1976 to November 1977.
(By consent)
- Ex. M 88 Casual Labour Register for Watchmen duties for the period from December 1977 to January 1980.
(By consent)
- Ex. M 89 Casual labour Bill Book for watch and ward with effect from 1-3-80 to 2/82.
(By consent)
- Ex. M 90 Casual labourers Bonus Register for the years 1977-78, 1978-79 and 1979-80.
(By consent)

- Ex.M 91 Casual labour Bonus Register Vol. II for the years 1980-81, 1981-82 and 1982-83.
(By consent)
- Ex.M 92 Attendance Report of Casual Watchmen working at Food Corporation of India, Kodad Depot for the month of May, 1981.
(By consent)
- Ex.M 93 Attendance Report of Casual Watchmen working at Food Corporation of India, Kodad Depot for the month of June, 1981.
(By consent)
- Ex.M 94 Attendance Report of Casual Labour watchmen working at Kodad Depot for the month of July, 1981.
(By consent)
- Ex.M 95 Attendance of casual/cum working at Kodad Depot for the month of April 1980.
(By consent)
- Ex.M 96 Attendance Report of the casual labour Watch and Ward for the month of May, 1980, at open storage, Kodad Depot.
(By consent)
- Ex.M 97 Attendance Report of casual watchmen working at Kodad centre for the month of July, 1980.
(By consent)
- Ex.M 98 Attendance Report of casual watchmen working at Kodad centre for the month of January 1981.
(By consent)
- Ex.M 99 Attendance Report of daily rated pickers/Watchmen at Krishna Rice and flour Mills SRPT for the month of February 1981.
(By consent)
- Ex.M 100 Statement showing the attendance report and the bill of daily rated watchmen engaged at F.C.I. Storage Unit, Suryapet for the month of March, 1981.
(By consent)
- Ex.M 101 Statement showing the attendance report and the bill of daily rated watchmen engaged at F.C.I. Storage Unit, Suryapet for the month of July, 1981.
(By consent)
- Ex.M 102 Attendance Report of the Daily Rated Watchmen for the month of February, 1980 pertaining to Miryalaguda.
(By consent)
- Ex.M 103 Attendance Report of the daily rated watch and ward staff for the month of July 1981, pertaining to Miryalaguda depot.
(By consent)
- Ex.M 104 Bill for the payment of casual labour for January 1980 pertaining to Miryalaguda.
(By consent)
- Ex.M 105 Bill pertaining to Casual Labour wages for the month of June 1981, Miryalaguda.
(By consent)
- Ex.M 106 Bill for payment of Daily wages to the casual labour engaged for watch and ward duties at Miryalaguda for the month of July 1981.
(By consent)
- Ex.M 107 Bill for payment of wages to casual labour pertaining to Suryapet.
(By consent)
- Ex.M 108 Bill for payment of wages to Casual Labour for the month of February, 1981, pertaining to Suryapet.
(By consent)
- Ex.M 109 Bill for payment of wages to casual labour for the month of March 1981 pertaining to Suryapet.
(By consent)
- Ex.M 110 Bill for payment of wages to casual labour for the month of June, 1981, pertaining to Suryapet.
(By consent)
- Ex.M 111 Bill No. 66/81-82, dt. 11-8-81 for payment of wages to casual labour for July 1981 pertaining to Suryapet.
(By consent)
- Ex.M 112 Attendance particulars and payment of wages to daily rated casual labour for the month of April, 1977 pertaining to Kodad Depot.
(By consent)
- Ex.M 113 Payment of wages to daily rated casual labour pertaining to Nalgonda Depot.
(By consent)
- Ex.M 114 Bill claiming the wages of Officials working at Kodad as casual labour watchmen.
(By consent)
- Ex.M 115 Bill for wages of Daily rated casual labour engaged at Kodad for the month of August, 1977.
(By consent)
- Ex.M 116 Payment of wages to casual labour working at Kodad for the month of October, 1977.
(By consent)
- Ex.M 117 Bill for wages of Casual Labour working at Kodad for the month of November, 1977.
(By consent)
- Ex.M 118 Bill for wages of casual watchmen working at Kodad for the month of January, 1978.
(By consent)
- Ex.M 119 Bill for payment of casual watchmen for the month of May, 1980, pertaining to Kodad Depot.
(By consent)
- Ex.M 120 Bill for the payment of casual labour for Watch and Ward duties for the month of June 1980, pertaining to Kodad Depot.
(By consent)
- Ex.M 121 Bill No. 29/80-81 dt. 3-9-80 for payment of wages to casual watchmen for the month of August 1980 pertaining to Kodad Depot.
(By consent)
- Ex.M 122 Bill No. 43/80-81 dt. 20-1-1981 for payment of wages to casual labour for the month of December 1980 pertaining to Kodad Depot.
(By consent)
- Ex.M 123 Bill No. 63/81-82, dt. 30-6-1981 for payment of wages to casual labour for the month of May, 1981 pertaining to Kodad Depot.
(By consent)
- Ex.M 124 Bill No. 63/81-82 dt. 7-7-81 for payment of wages to casual labour for the month of June 1981 pertaining to Kodad depot.
(By consent)
- Ex.M 125 Bill No. 66/81-82 dt. 11-8-81 for payment of wages to casual labour for the month of July 1981, pertaining to Kodad Depot.
(By consent)
- Ex.M 126 Bill No. 63/81-82 dt. for payment of wages to casual labour for the month of June 1981 pertaining to Masherla Depot.
(By consent)
- Ex.M 127 Letter No. 17/H.G./ALR/81-82 dt. 31-8-82 addressed by the Food Corporation of India Storage Unit, Alair to the Secretary, Agriculture Market Committee, Alair regarding the Surrendering of open storage complex.
(By consent)
- Ex.M 128 Acknowledgment dt. 22-3-82 regarding the handed over and taken over the possession C.M.S. open storage land, Kodad.
(By consent)

- Ex.M.129 Letter No. 63/IE/SRPT/76 dt. 28-7-81 addressed by S.V. Swamy, Assistant Divisional Officer, Andhra Pradesh Industrial Infra-structure Corporation Limited to the Genl. Manager (Finance) A.P.I.T.C. Ltd., Hyderabad regarding the leasing of sheds & plots to Food Corporation of India.
(By consent)
- Ex.M.130 Letter No. 43/IE/SRPT/76, dt. 31-1-82 addressed by K. S. Vijaya Kumar, Assistant Divisional Officer, Andhra Pradesh Industrial Infra-structure Corporation Limited to the Asst. Manager, Food Corporation of India, Open Storage Unit, Suryapet regarding the vacation of plots of the Industrial Estate, Suryapet taking over of the possession.
(By consent)
- Ex.M.131 Proceedings No. 32(1)/80-Estt. dt. 1-2-82 issued by the District Manager, the Food Corporation of India, District Office, Nalgonda regarding the termination of services of casual labour in the month of July, 1981 and sanction of payment of retrenchment compensation.
(By consent)
- Ex.M.132 Letter No. 32(1)/80-Estt. dt. 4-2-82 addressed by District Manager, Food Corporation of India, District Office Nalgonda to the Assistant Manager (D), Food Corporation of India, Kodad, Suryapet and Aler Depots, regarding the termination of services of casual labour in the month of July 1981 and payment of retrenchment compensation.
(By consent)
- Ex.M.133 Statement showing the details of the 20 casual labour who have completed 240 days of service 7/81 and who have accepted/refused the payment ordered in the month of February, 1982.
(By consent)
- Ex.M.134 Statement showing the stock position of paddy held in open in various centres of Nalgonda District from 4/80 to 8/81.
(By consent)
- Ex.M.135 Statement showing the details of Hired and de-hired conveyed/open storage accommodation at various centres in Nalgonda district.
(By consent)
- Ex.M.136 True copy of the circular No.1/2/76-E.I dt. regarding the regularisation of services of daily rated employees of Food Corporation of India, Madras.
(By consent)
- Ex.M.137 Bill No.1/80 dt. 4-3-80 pertaining to casual labour, Nalgonda Depot for the month of February 1980.
(By consent)
- Ex.M.138 Statement showing the Attendance particulars of watchmen for the month of June, 1978, pertaining to Chityal Depot.
(By consent)
- Ex.M.139 Statement showing the casual labour/watchmen Attendance for the month of July, 1978 pertaining to Chityal Depot.
(By consent)
- Ex.M.140 Statement showing the casual labour/Watchmen attendance for the month of August, pertaining to Chityal Depot.
(By consent)
- Ex.M.141 Statement showing the casual labour/watchmen attendance for the month of September, 1978.
(By consent)
- Ex.M.142 Statement showing the casual labour, watchmen, Attendance for the month of October, 1978.
(By consent)
- Ex.M.143 Bill No.13 dt. 1-7-78 for payment of wages to casual labour/watchmen for the month of June, 1978, pertaining to Chityal Depot.
(By consent)
- Ex.M.144 Statement showing the details of Month-wise attendance particulars of casual labour at Chityal Depot during the period from 13-1-77 to 3-12-80
(By consent)
- Ex.M.145 Letter No. /CHT/F(3)/79-80-Godown rent/Vol II dt. 18-3-81 addressed by Assistant Grade-II (Depot), Food Corporation of India Chityal to the Dist. Manager Food Corporation of India, Nalgonda regarding the vacation of Chandra Narsaiah Godown No.V.
(By consent)
- Ex.M.146 Letter dt. 17-3-81 addressed by Godown owner Chityal to the District Manager, Food Corporation of India, Nalgonda regarding taking over the possession of Godown (No.5th)
(By consent)
- Ex.M.147 Handing over and taking over of open land at F.C.I. Chityal Depot.
(By consent)
- Ex.M.148 Handing over and taking over of open land at F.C.I. open storage unit the remaining half portion of Chityal.
(By consent)
- Ex.M.149 Acquittance of casual labour watchmen for the period from 1-3-81 to 19-3-81 pertaining to Sri Ganesh Rice Mill, Bhongir.
(By consent)
- Ex.M.150 Acquittance of the casual labour for watch and ward purpose at F.C.I. Depot Bhongir for the month of March 1981.
(By consent)
- Ex.M.151 Acquittance of casual labour for watch and ward purpose at F.C.I. Depot Bhongir for the month of May, 1981.
(By consent)
- Ex.M.152 Acquittance of casual Labour for watch and ward purpose at F.C.I. Depot Bhongir for the month of April, 1981.
(By consent)
- Ex.M.153 Acquittance of casual labour for watch and ward purpose at F.C.I. Depot Bhongir for the month of June 1981.
(By consent)
- Ex.M.154 Acquittance of casual labour for watch and ward purpose at F.C.I. Depot Bhongir for the month of July, 1981.
(By consent)
- Ex.M.155 Statement showing the details of Month-wise attendance particulars of casual labour at Bhongir for the period from 11/77 to 10/81.
(By consent)
- Ex.M.156 Bill No. 50/80-81, dt.9-3-81 for payment of wages to casual labour for February, 1981, pertaining to Bhongir depot.
(By consent)
- Ex.M.157 Bill No.58/80-81, dt.2-5-81 for payment of wages to casual labour for April 1981 pertaining to Bhongir.
(By consent)
- Ex.M.158 Bill No.49/80-81 dt. 28-2-1981 for payment of wages to casual labour pertaining to Bhongir Depot.
(By consent)
- Ex.M.159 Bill No.60/82 dt. 3-6-81 for payment of wages to casual labour for May 1981 pertaining to Bhongir Depot.
(By consent)
- Ex.M.160 Bill No.63/81-82, dt. 7-7-81 for payment of wages to casual labour for the month of June, 1981 pertaining to Bhongir Depot.
(By consent)
- Ex.M.161 Bill No.53/80-81, dt. 4-4-1981 for payment of wages to casual labour for March 1981, pertaining to Bhongir Depot.
(By consent)

- Ex.M162** Receipt regarding taken over and handed over of S. Purushotham godown.
(By consent)
- Ex.M163** Receipt regarding taken over and handed over of S. Purushotham godown.
(By consent)
- Ex.M164** Letter dt. 3-3-81 addressed by Assistant Depot Superintendent, Food Corporation of India, Bhongir to Belde Pentiah regarding Dehiring of Godown No.1-3-32.
(By consent)
- Ex.M165** Receipt regarding taken over and handed over the open space godown of Bhongir Depot.
(By consent)
- Ex.M166** Letter No. BG/NG/80/81 dt. 24-9-81 addressed by Depot Incharge, F.C.I. Bhongir to Belda Pentiah regarding Dehiring of B.H. Open Storage land.
(By consent)
- Ex.M167** Bill No.6/80, dt. 2-6-80 for payment of wages to casual labour watchmen for the month of March 1980 pertaining to Nalgonda Depot.
(By consent)
- Ex.M168** Bill No.12/80-81 dt. 3-5-80 for payment of wages to casual labour, pertaining to Nalgonda Depot.
(By consent)
- Ex.M169** Statement showing the Month-wise attendance particulars of the casual labour.
(By consent)
- Ex.M170** Renewal of Registration certificate No.2201 pertaining to Food Corporation of India, Ramagiri, Nalgonda under A.P. Shops and Establishments Act 1966 for the period from 1-1-19.3 to 31-12-184.
(By consent)
- Ex.M171** True copy of the G.O.Ms.No.153, dt. 22-2-1977 of Labour, Employment and Technical Education (Lab.II) Department regarding the A.P. Shops and Establishment Act, 1966 and rules, 1968 for grant of selective exemption from the provisions of the said Act, in respect of A.P. State Warehousing Corporation, Food Corporation of India and Central Warehousing Corporation.
(By consent)
- Ex.M172** True copy of the G.O.Ms.No.1559, dt. 22-12-78 of Labour, Employment and Technical Education (Lab.II) Department, regarding A.P. Shops and Establishments Act, 1966 Central Warehousing Corporation, Food Corporation of India and A.P. State Warehousing Corporation. Exemption from cartian provisions of the the Act, granted and Amendment issued.
(By consent)
- Ex.M173** True copy of the G.O.Ms.No. 813, dt. 11-11-82 of Labour, Employment, Nutrition & Technical Education (Lab.II) Department, regarding A.P. Shops and Establishments Act, 1966. Exemption in respect of Food Corporation of India from all the provisions of the Act, except Section 3 and 3-A order s issued.
(By consent)
- Ex.M174** Telegram No.32/1/80-Estt. dt. 28-7-81 from District Manager to Assistant Manager Depot incharge Food Corporation of India, Miryalaguda, regarding the services of all casual labourers deployed for watch and ward duties should be discontinued forth with the ensure arrange watch and ward duties with available staff.
(By consent)

J. VENUGOPALA RAO, Presiding Officer
No. L-42011(27)/81-FCI/D.IV(A)D.V.]
S. S. MEHTA, Desk Officer

नई दिल्ली, 17 जनवरी, 1985

का. आ. 491.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, स्टेट बैंक आफ इंडिया जबलपुर (मध्य प्रदेश) के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर, (म. प्र.) के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-1-85 को प्राप्त हुआ था।

New Delhi, the 17th January, 1985

G.S. 491.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur (M.P.) as shown in the Annexure in the industrial dispute between the employers in relation to the State Bank of India, Jabalpur (M.P.) and their workmen, which was received by the Central Government on the 15-1-85.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(9)/1984

PARTIES :

Employers in relation to the management of State Bank of India, Regional Office, Marhatal, Jabalpur (M.P.) and their workman, Shri Shyam Kumar Rajak, Sub-staff (Watchmen) S/o Shri Devi Prasad, 1009, Purani Machharhal, Jabalpur (M.P.).

APPEARANCES :

For Workman—Shri D. P. Tiwari,

For Management—Shri G. C. Jain, Advocate.

INDUSTRY : Banking DISTRICT : Jabalpur (M.P.)

AWARD

Dated : January 8, 1985

The Central Government in exercise of its powers conferred under Sec. 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication, vide Notification No. L-12012(214)/83-D.II(A) dated 19th January, 1984,—

“Whether the action of the management of State Bank of India, Jabalpur (M.P.) in relation to their Jabalpur City Branch in terminating the services of Shri Shyam Kumar Rajak, Sub-staff (Watchman) with effect from 31-7-1978 is justified? If not, to what relief is the workman concerned entitled?”

2. Shyam Kumar Rajak was employed as a badli worker at the relevant time in the City Branch of the State Bank of India. He was employed as a temporary badli Watchman in the subordinate cadre. He served the bank between January 1977 and July 1978 with some breaks. Between January 1977 and July 1978 he has worked for 324 days. The last date when he worked with the Bank was 4th, 1978. These facts are not disputed and are found in the documents and the statement of the Bank. According to the Bank since services of Rajak were wholly temporary he was not asked to continue after July 1978. According to the Bank they generally employ ex-service man as their watchman because such employees are well versed in the use of fire arms. Moreover, for entry into service in a bank it was necessary that the employee did not exceed the prescribed age. In the instant case, Rajak was over age when he had entered the services of the Bank. In their view therefore Rajak could not be taken in the services of the Bank. It is also contended by the Bank that before termination of the services of Rajak he had only put in 239 days services there and he was not entitled to any benefit under Sec. 25-F of the Industrial Disputes Act.

3. Under Sec. 25F no workman employed in any industry who has been in continuous service for not less than one year under an employer would be entrenched by the employer unless the prescribed conditions under the section were complied. For the purposes of finding out whether the employee had worked for one year or not the Act lays down Sec. 25F which defines as to what is the continuous service for one year. In this case Sub-section (1) of Sec. 25B would not apply. Sub-section (b) lays down as to what would be deemed to be in continuous service within the meaning of Clause (1). If the workman during a period of 12 months preceding the date with reference to which the calculation is to be made, has actually worked with the employer for not less than (a) ... (ii) 240 days he would be deemed to be in continuous employment. The controversy here is as to what is the relevant date preceding which the efficiation of 12 calendar months is to be considered. Obviously in the present case it would be the 4th July, 1978. In the instant case, if 4th July 1978 is taken as the relevant date the workman would have completed 240 days within 12 months preceding it. The contention of the Bank that it should be the 31st July cannot be accepted as after 4th July he had not been taken on duty at all. The management, however, relies on the statement made by the workman that his services were terminated with effect from 31st July 1978. Such statement was also made in the rejoinder filed by the Union. This is of no consequence when from the Bank's annexure it is clear that the employee was not given employment after 4th July, 1978. On 31st July his name had been actually removed from the rolls and it is because of this reason that the employee had made such statement. But the factual position is clear that he had not been given employment after 4th July and therefore 4th July 1978 would be the relevant date for calculating the number of days of service of the workman within 12 months of it and if this is done he has clearly worked for more than 240 days in a year and the provisions of Section 25F of the I.D. Act are attracted. In this connection, I would refer to judgment of the Supreme Court, Surendra Kumar Verma Vs. Central Government Industrial Tribunal-cum-Labour Court, New Delhi and another decided on 22nd September, 1980 wherein their lordship observed as under :—

"On the other question decided by my learned brother I have no hesitation in agreeing that having regard to the simultaneous amendments introduced in the Industrial Disputes Act, 1947 by Act No. 36 of 1964—the deletion of S.2(eee) and the substitution of the present S. 25B for the original section—it is no longer necessary for a workman to show that he has been in employment during a preceding period of twelve calendar months in order to qualify within the terms of S. 25B. It is sufficient for the purposes of S. 25B (2)(a)(ii) that he has actually worked for not less than 240 days. The law declared by this Court in *Sur Enamel and Stamping works(P) Ltd. Vs. Their workmen* does not apply to situations governed by the subsequently substituted S. 25B of the Act."

The language used in Sub-section (2) of Section 25F envisages a relevant date preceding which the workman had worked with the employer for a period of 12 calendar months. This date in this case is 4-7-1978. If the contentions of the bank were to be accepted it would give a handle to the management to frustrate the provisions by merely entering

in their books the date of removal in such a manner that the number of days which the employee worked preceding that date would always fall short of 240 days. Therefore, what we have to consider here is the last date on which the employee had worked and it is with reference to this date that the number of days the employee worked within 12 months preceding it have to be calculated. I have no hesitation in holding that when Rajak was not called for employment on 5th and another man had been appointed. He was, therefore, retrenched illegally without following provisions of Section 25F of the I.D. Act. Such retrenchment was void ab initio and the employee was entitled to be reinstated.

4. The objection raised by the Bank that the applicant could not be admitted to the services of the bank as he was over age at the time of his entry into service and that he was not an ex-service man would not stand in the way of giving him the relief of reinstatement. The Bank has undoubtedly laid down a maximum age for the entrance into service but these are mere departmental instructions and it cannot override the statutory provisions of the Industrial Disputes Act and the rights accruing to the workman under the Act. Similar is the objection as regards the applicant's not being an ex-service man. That was merely a matter of convenience but as the more valuable rights have accrued to the workman to be regularised in service they have to be given effect to.

ORDER :

I direct that Rajak having worked for more than 240 days continuously within a period of 12 months from 4th July, 1978 became entitled to be regularised in the services of the Bank. The termination of services amounted to retrenchment and it was done without following the procedure provided under Section 25F of the Industrial Disputes Act. Such retrenchment was void ab initio and he was entitled to be reinstated. He would, however, not get back wages as he has been doing work which compensated to a great extent towards the salary he would have received from the Bank. He would, however, be entitled to costs which would be Rs. 300 in this case.

K. K. DUBE, Presiding Officer.

[No. L-12012/214/83-D.II A]

नई दिल्ली, 21 जनवरी, 1985

का० आ० 492:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, यूनियन बैंक ऑफ इंडिया, लखनऊ के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंखाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-1-85 को प्राप्त हुआ था।

New Delhi, the 21st January, 1985

S.O. 492.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure in the industrial dispute between the employers in relation to the Union Bank of India, Lucknow and their workmen, which was received by the Central Government on the 11th January, 1985.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

101/83 raised by the workman, it is pointing out before this Hon'ble Tribunal.

I. D. No. 101/83

In the matter of dispute between :

Shri Ajit Singh,

Through Secretary,

U.P. Bank Employees Union, Kanpur-
Varanasi

... Workman

Asstt. General Manager,

Union Bank of India, Lucknow

... Management

APPEARANCES :

1. Shri Satya Pal—for the management,
2. Shri V. N. Shekheri—for the workman.

AWARD

The Central Government vide his letter No. 12012/248/80-D-II (A) dated 3-2-82 referred the following dispute for adjudication.

"Whether the action of the management of Union Bank of India, Lucknow in relation to their Kanpur Branch in terminating the services of Shri Ajit Singh, Temporary Watchman w.e.f. 31-5-80 is justified? If not, to what relief the workman concerned entitled?"

The workman filed statement of claim and reply to the written statement by way of rejoinder and filed certain documents.

The parties came to a settlement and verified the same before me on 3-12-84. The terms of the settlement are as follows :—

1. That the management hereby agrees to appoint Shri Ajit Singh under sub-staff of the bank on regular basis w.e.f. 3-8-84 on the date which he has already join the duty and has been working at Chandreshwar Branch. The workman has already been issued a formal letter of appointment from the Central Office of the Bank containing to terms and conditions of the services applicable to the sub-staff.

2. That the workman, Shri Ajit Singh, shall not claim for back wages or for other benefit for any period whatsoever prior to the date of aforesaid fresh appointment.

3. That the workman concerned will not be entitled to any benefit/relief of whatsoever nature for the past period of his temporary services or otherwise.

4. That the workman concerned will be bound by the rules and regulations of the management applicable to the sub-staff from time to time in force.

5. That the workman hereby agrees that they will not press their claim in the industrial dispute in reference No.

In view of the above settlement I give my award accordingly.

R. B. SRIVASTAVA, Presiding Officer
(No. L-12012/248/80-D-II (A))
N. K. VERMA, Desk Officer.

नई दिल्ली, 18 जनवरी, 1985

का. आ. 493:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ब्लो क्रिएशन्स, प्लॉट नं.-1, ब्लॉक 111, आई. डी. ए. अप्पल हैदराबाद (आन्ध्र प्रदेश) नामक स्थापन के सम्बन्ध निधोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं. एस-35019 (48)/85-एस. एस-2]

New Delhi, the 18th January, 1985

S.O. 493.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Flow Creations, Plot No. 1, Block III, IDA, Uppal, Hyderabad, 500039, Andhra Pradesh have agreed that the provision of the Employees' Provident fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/48/85-SS. II]

का. आ. 494:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ब्लो क्रिएशन्स 8, राम वाली नगर, हैदराबाद (म. प्र.) और 608, मेघवत मेहूर प्लेस, नई दिल्ली स्थित कार्यालय नामक स्थापन के सम्बन्ध निधोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं. एस-35019(28)/85-एस. एस-2]

S.O. 494.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mayur Industries 8, Ram Bali Nagar, Indore (Madhya Pradesh) and Office at 608, "Meghdoot", Nehru Place, New Delhi-19 have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/28/85-SS. II]

का. आ. 495:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सुजाता सिनटोन, 9, मलानी रोड, टी. नगर मद्रास-17 तमिल नाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(45)/85-एस. एस-2]

S.O. 495.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sujatha Cinetone, No. 9, Malony Road, T. Nagar, Madras-17, Tamil Nadu have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/45/85-SS. II]

का. आ. 496:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पी. एस. टी. एस. वीरावीया रत्ना नाथार और सन्स, 22 साऊथ राजा गली, टूटी कोरिन नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए

उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(46)/85-एस. एस-2]

S.O. 496.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P. S. T. S. Thiravia Ratna Nadar and Sons, 22, South Raja Street, Tuticorin have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/46/85-SS. II]

का. आ. 497:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इण्डस्ट्रियल कोटिंग एण्ड वैक्स प्राइवेट लिमिटेड 31-सी, सेक्टर-27, फरीदाबाद और 12, भगत सिंह मार्ग, नई दिल्ली स्थित रजिस्टर्ड ऑफिस सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(47)/85-एस. एस-2]

S.O. 497.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Industrial Coating and Waxes Private Limited, 31-C, Sector-27, Faridabad including its Registered Office at 12, Bhagat Singh Marg, New Delhi have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/47/85-SS. II]

का. आ. 498:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भीनार मैन्युफैक्चरर्स 48, राम बाली नगर, इन्दौर (एम. पी.) और 608, मेघदूत, नेहरू प्लेस, नई दिल्ली-19, में स्थित कार्यालय नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत

हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(29)/85-एस. एस-2]

S.O. 498.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Minar Manufacturers, 48, Ram Bali Nagar, Madhya Pradesh and Office at 608, Meghdoot, Nehru Place, New Delhi-19 have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/29/85-SS. II]

का. आ. 499:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मीर गार्डस्मर इन्डिया लि. 1400, हेम कुन्त टावर, 98 नेहरू प्लेस, नई दिल्ली-19 और फैक्ट्री बिहाईड दयावती मोदी एकडमी, मोदीपुरम जि. मेरठ, उत्तर प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस. 35019(30) 85-एस. एस-2]

S.O. 499.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Morgardshammar India Limited, 1400 Hemkunt Tower, 98, Nehru Place, New Delhi-19 including Factory Behind Daya-wati Modi Academy, Modipuram District, Meerut, Uttar Pradesh have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/30/85-SS. II]

का. आ. 500:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आर. के. डी. फाउंडरी, 24-सी, पी. एन. पालयम रोड, गणपति, कोयम्बटूर-641006, तमिल नाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य

निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस35019(41)/85-एस. एस-2]

S.O. 500.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs R. K. D. Foundry 24-C, P. N. Palayam Road, Ganapathy, Coimbatore-641006, Tamil Nadu have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/41/85-SS. II]

का. आ. 501:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मुनदादा कॉटन कम्पनी, कॉटन मर्चेन्ट्स, लौहारवदी, रायचूर, कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उक्त उपबंध स्थापन को लागू करती है।

[सं. एस-35019(42)/85-एस. एस-2]

S.O. 501.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mundada Cotton Company, Cotton Merchants, Loharwadi, Raichur, Karnataka have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/42/85-SS. II]

का. आ. 502:—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कृष्णा एन्टरप्राइजिज, पोस्ट बाक्स नं. 520, गांधीनगर, विजयवाड़ा-520003, आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(44)/85-एस. एस-2]

S.O. 502.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Krishna Enterprises, Gandhinagar, Vijaywada-520003, Andhra Pradesh have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(44)/85-SS-II]

नई दिल्ली, 19 जनवरी, 1985

का. आ. 503:—यतः मै. कोयम्बटूर म्युनिसिपल कारपोरेशन, इलेक्ट्रीकल अंडरटेकिंग, कोयम्बटूर, पो. बा. नं. 554 (टी. एन/3339) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 17 की उपधारा (1क) के अंतर्गत कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 से छूट प्राप्त के लिए आवेदन किया है,

और यतः केन्द्रीय सरकार की राय में केन्द्रीय सरकार कुटुम्ब पेंशन स्कीम, 1964 के अंतर्गत कुटुम्ब पेंशन के रूप में देय लाभ उपरोक्त स्थापन के कर्मचारियों पर लागू होते हैं और वे लाभ कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 के अंतर्गत देय लाभों से किसी भी रूप में कम नहीं है।

अतः अब, उपरोक्त अधिनियम की धारा 17 की उपधारा (1क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और निम्नलिखित विनिर्दिष्ट शर्तों के आधार पर केन्द्रीय सरकार उपरोक्त स्थापना को कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 के सभी उपबंधों के प्रवर्तन से 3 वर्ष की अवधि के लिए छूट प्रदान करती है।

शर्तें—

- (1) स्थापनाओं के कुटुम्ब पेंशन स्कीम में किसी भी बात के होते हुए भी यदि किसी सदस्य की मृत्यु होने पर देय पेंशन राशि कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 के अंतर्गत देय पेंशन राशि से कम होती है तो नियोक्ता को कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 के अंतर्गत देय कुटुम्ब पेंशन की दर से पेंशन मंजूर करेगा।
- (2) नियोक्ता को केन्द्रीय सरकार द्वारा समय-समय पर जारी किए गए निदेशानुसार लेखे तैयार करने होंगे, विवरणियां जमा करानी होंगी तथा निरीक्षण के लिए आवश्यक सुविधाएं प्रदान करनी होंगी।
- (3) उपरोक्त स्थापना के कुटुम्ब पेंशन स्कीम से संबंधित सभी खर्चों को नियोक्ता को वहन करना होगा जिसमें लेखे तैयार करना, लेखे और विव-

रणियां जमा कराना, लेखों का अंतरण करना आदि भी शामिल होंगे।

- (4) उपरोक्त स्थापना के लिए केन्द्रीय सरकार द्वारा अनुमोदित कर्मचारी कुटुम्ब पेंशन स्कीम तथा उसमें किए संशोधन, यदि कोई हो, तथा कर्मचारी के बहुसंख्या द्वारा समझी जाने वाली भाषा में उसकी महत्वपूर्ण बातों के अनुवाद की एक प्रति नियोक्ता को सूचना पट्ट पर लगानी होगी।
- (5) स्थापना की कुटुम्ब पेंशन स्कीम के नियमों में कोई भी ऐसा संशोधन जो कर्मचारियों के हितों को बुरी तरह प्रभावित करता हो केन्द्रीय सरकार के कृषम मंत्रालय तथा केन्द्रीय भविष्य निधि आयुक्त की पूर्ण अनुमति के बिना नहीं किया जाएगा। केन्द्रीय सरकार तथा केन्द्रीय भविष्य निधि आयुक्त अपनी अनुमति देने से पूर्व कर्मचारियों को अपने विचार प्रकट करने के लिए समुचित अवसर प्रदान करेंगे।

[सं. एस-35012/19/84-एस. एस-4]

New Delhi, the 19th January, 1985

S.O. 503.—Whereas the M/s. Coimbatore Municipal Corporation Electrical Undertaking, Coimbatore P.B. No. 554, (TN/3339) has applied for exemption from Employees' Family Pension Scheme, 1971, under sub-section (1A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952).

And whereas, in the opinion of the Central Government the benefits in the nature of Family Pension under the Central Government Family Pension Scheme, 1964 and applicable to the employees of the said establishment are not less favourable than the benefits provided under the said Act, and the Employees' Family Pension Scheme, 1971.

Now, therefore in exercise of the powers conferred by sub-section (1A) of section 17 of the said Act, and subject to the conditions specified hereunder, the Central Government hereby exempts the said establishment from the operation of all provisions of the Employees' Family Pension Scheme, 1971 for a period of three years.

CONDITIONS

- (1) Notwithstanding anything contained in the Family Pension Scheme of the establishment if the amount of pension payable in respect of any member upon his death is less than the amount of family pension payable if he were a member of the Employees' Family Pension Scheme, 1971 the Employer shall sanction the family pension which is admissible under the Employees' Family Pension Scheme, 1971.
2. The employer shall maintain such accounts, submit such return and provide for such facility for inspection as the Central Government may from time to time direct.
3. All expenses involved in the administration of the Family Pension Scheme of the said establishment, including maintenance of accounts, submission of accounts and return, transfer of accounts, shall be borne by the employer.
- (4) The employer shall display on the notice board of the establishment a copy of the rules incorporating therein all amendments, if any of the Family Pension Scheme of the said establishment as approved by the Central Government alongwith a translation of the salient features thereof in language understood by the majority of the employees.
- (5) No amendment of the rules of the Family Pension Scheme of the establishment adversely affecting the interests of the employees shall be made without the prior approval of the Central Government in the Ministry of Labour and the

Central Provident Fund Commissioner. The Central Government and the Central Provident Fund Commissioner will, before giving therein approval, give a reasonable opportunity to the employees to explain their point of view.

[File No. S. 35012/19/84-SS-IV]

का. आ. 504:—यतः मै. गवर्नमेंट एग्रीकल्चर इंजीनियरिंग वर्कस सोप मद्रास-21 (टी. एन. 884) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) की धारा 17 की उपधारा (1-क) के अंतर्गत कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 से छूट प्राप्ति के लिए आवेदन किया है,

और यतः केन्द्रीय सरकार की राय में केन्द्रीय सरकार कुटुम्ब पेंशन स्कीम, 1964 के अंतर्गत कुटुम्ब पेंशन के रूप में देय लाभ उपरोक्त स्थापना के कर्मचारियों पर लागू होते हैं और वे लाभ कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 के अंतर्गत देय लाभों से किसी भी रूप में कम नहीं है।

अतः अब, उपरोक्त अधिनियम की धारा 17 की उपधारा (1-क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और निम्नलिखित विनिर्दिष्ट शर्तों के आधार पर केन्द्रीय सरकार उपरोक्त स्थापना को कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 के सभी उपबन्धों के प्रवर्तन से 3 वर्ष की अवधि के लिए छूट प्रदान करती है।

शर्तें:—

- (1) स्थापनाओं के कुटुम्ब पेंशन स्कीम में किसी भी बात के होते हुए भी यदि किसी सदस्य की मृत्यु होने पर देय पेंशन राशि कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 के अंतर्गत देय पेंशन राशि से कम होती है तो नियोक्ता को कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 के अंतर्गत देय कुटुम्ब पेंशन की दर से पेंशन मंजूर करेगा।
- (2) नियोक्ता को केन्द्रीय सरकार द्वारा समय-समय पर जारी किए गए निदेशानुसार लेखे तैयार करने होंगे, विवरणियां जमा करानी होंगी तथा निरीक्षण के लिए आवश्यक सुविधाएं प्रदान करनी होंगी।
- (3) उपरोक्त स्थापना के कुटुम्ब पेंशन स्कीम से संबंधित सभी खर्चों को नियोक्ता को वहन करना होगा जिसमें लेखे तैयार करना, लेखे और विवरणियां जमा कराना, लेखों का अंतरण करना आदि भी शामिल होंगे।
- (4) उपरोक्त स्थापना के लिए केन्द्रीय सरकार द्वारा अनुमोदित कर्मचारी कुटुम्ब पेंशन स्कीम तथा उसमें किए संशोधन, यदि कोई हो, तथा कर्मचारियों के बहुसंख्या द्वारा समझी जाने वाली भाषा में उसकी महत्वपूर्ण बातों के अनुवाद की एक प्रति नियोक्ता को सूचना पट्ट पर लगानी होगी।
- (5) स्थापना की कुटुम्ब पेंशन स्कीम के नियमों में कोई

भी ऐसा संशोधन जो कर्मचारियों के हितों को बुरी तरह प्रभावित करता हो केन्द्रीय सरकार के श्रम मंत्रालय तथा केन्द्रीय भविष्य निधि आयुक्त की पूर्व अनुमति के बिना नहीं किया जाएगा। केन्द्रीय सरकार तथा केन्द्रीय भविष्य निधि आयुक्त अपनी अनुमति देने से पूर्व कर्मचारियों को अपने विचार प्रकट करने के लिए समुचित अवसर प्रदान करेंगे।

[सं. एस-35012/20/84-एस. एस.-4]

S.O. 504.—Whereas the M/s. Government Agricultural Engineering Workshop, Madras-21(TN/884) has applied for exemption from Employees' Family Pension Scheme, 1971, under sub-section (1A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952).

And whereas, in the opinion of the Central Government the benefits in the nature of Family Pension under the Central Government Family Pension Scheme, 1964 and applicable to the employees of the said establishment are not less favourable than the benefits provided under the said Act, and the Employees' Family Pension Scheme, 1971.

Now, therefore in exercise of the powers conferred by sub-section (1A) of section 17 of the said Act, and subject to the conditions specified hereunder, the Central Government hereby exempts the said establishment from the operation of all provisions of the Employees' Family Pension Scheme, 1971 for a period of three years.

CONDITIONS

(1) Notwithstanding anything contained in the Family Pension Scheme of the establishments if the amount of pension payable in respect of any member upon his death is less than the amount of family pension payable if he were a member of the Employees' Family Pension Scheme, 1971 the Employer shall sanction the family pension which is admissible under the Employees' Family Pension Scheme, 1971.

(2) The employer shall maintain such accounts, submit such returns and provide for such facility for inspection as the Central Government may from time to time direct.

(3) All expenses involved in the administration of the Family Pension Scheme of the said establishment including maintenance of accounts, submission of accounts and return, transfer of accounts, shall be borne by the employer.

(4) The employer shall display on the notice board of the establishment a copy of the rules incorporating therein all amendments, if any of the Family Pension Scheme of the said establishment as approved by the Central Government alongwith a translation of the salient features thereof in language understood by the majority of the employees.

(5) No amendment of the rules of the Family Pension Scheme of the establishment adversely affecting the interests of the employees shall be made without the prior approval of the Central Government in the Ministry of Labour and the Central Provident Fund Commissioner. The Central Government and the Central Provident Fund Commissioner will, before giving therein approval, give a reasonable opportunity to the employees to explain their point of view.

[File No. S. 35012/20/84-SS-IV]

नई दिल्ली, 21 जनवरी, 1985

का. आ. 505:—मैसर्स डाल्फ इंडिया लिमिटेड, 57/बी, मिर्जा गालिब स्ट्रीट, कलकत्ता-700016, (इन्ड्यू-बी-

5106) और इसको फैक्टरी डाकखाना शाहगंज, जिला हुगली, वेस्ट बंगला (इब्ल्यूबी/716) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अधिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम 1976) (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उगावद्ध अनुसूची में विनिर्दिष्ट शर्तों का के अधीन रहते हुए उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबंधों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, कलकत्ता को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करें।

2. नियोजक ऐसे निरीक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार उक्त अधिनियम की धारा 17 की उपधारा (3क) के खंड (क) के अधीन समय-समय पर निर्दिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रसारों का संदाय आदि भी हैं, होने वाले सभी व्ययों का वहन नियोजन द्वारा किया जाएगा।

4. नियोजक केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापना के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापना की भविष्य निधि का पहले ही सदस्य है उसके स्थापन में नियोजित

किया जाता है, तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदाय रकम उस रकम से कम है तो कर्मचारी को उस दशा में संदेय होती जब वह उक्त स्कीम के अधीन होता तो नियोजक कर्मचारी के विधि वारिस/नाम निर्देशिनी को प्रतिकर के रूप में दोनों रकमों के अंतर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबंधों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, कलकत्ता के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का व्यक्तिगत अवसर देगा।

9. यदि कि कारणवश स्थापन किसी कर्मचारी भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या उस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नाम निर्देशितिय या विविध वारिसों को जो यदि वह छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उस हकदार नाम निर्देशितियों/विधि वारिसों की बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के सान दिन के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/193/84-एसएम-4]

S.O. 505.—Whereas Messrs Dunlop India Limited, 57/B, Mirza Galib Street, Calcutta-700016 (WB/5106) and its factory at Post Office Sahaganj, District Hooghly, West Bengal (WB/716) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the Employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Calcutta and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Calcutta and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium and responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and any case within one month from the receipt of claim complete in all respects".

[No. S-35014/193/84-SS-IV]

नई दिल्ली, 22 जनवरी, 1985

का. घा 506.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स देवी एंड कंपनी 3/267, भमरावती पोस्ट, हासपेट-583201, बेलारी कस्बा कर्नाटक और शाखाएं हैं (1) हालीयूर, (2) ससालू चिन्नापुरी कस्बा और (3) मल्लसदरम, बंगलौर-3, में नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019(43)/85-एस एन-2]

ए. के. भट्टाचार्य, प्रवर सचिव

New Delhi, the 22nd January, 1985

S.O. 506.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Deviano, Company, 3/267, Anaravathi Post, Hospet-585201, Bellary District, Karnataka including branches at (1) Halyur (2) Sasali in Chitradurga District and (3) Maileswaram, Bangalore-3 have agreed that the provision of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/43/85-S3-II]

A. K. BHATTARAI, Under Secy.

New Delhi, the 21st January, 1985

S.O. 507.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes, the following award of the National Tribunal, at Calcutta, in the industrial dispute between the management of M/s. Statesman Ltd., New Delhi and their workman which was received by the Central Government on the 7th January, 1985.

NATIONAL INDUSTRIAL TRIBUNAL AT CALCUTTA Reference No. NIT 1 of 1984

PARTIES :

AND

Management of Messrs The Statesman Limited, Statesman House, Connaught Circus, New Delhi.

Their Workmen

PRESENT :

Mr. Justice M. P. Singh—Presiding Officer.

APPEARANCES :

On behalf of Management.—Dr. Shankar Ghosh, Counsel with Mr. A. K. Joardar, Advocate.

On behalf of Workmen.—Mr. T. M. Nagarajan, General Secretary of the Statesman Employees' Union, New Delhi.

INDUSTRY : Newspaper.

AWARD

By Order No. L-51011/33/74-J&E(I) dated 9th January 1984, under section 36A of the Industrial Disputes Act, 1947 two questions were referred to this National Industrial Tribunal for adjudication by the Government of India in the Ministry of Labour and Rehabilitation :

(1) Whether in view of the contention raised by the management of Messrs The Statesman Limited and Statesman Employees' Union as stated in Annexure 'A', the workmen detailed therein have been placed in proper groups/grades in pursuance of the award of the National Industrial Tribunal, referred to in para 1 above and settlement dated 8th January, 1971 before the Conciliation officer, Sri S. P. Joshi, and if not, in which groups/grades these workmen should be placed and from which date ?

(2) Whether linkage Dearness Allowance which is being paid at present is in accordance with the award and

settlement referred to above, and if not whether any modification is required ?

In view of the decisions of the Calcutta High Court, issue No. 1 was not pressed by Sri Nagarajan, general secretary of the Statesman Employees' Union, New Delhi and I think rightly. It was held by the Calcutta High Court that question No. 1 was outside the scope and ambit of section 36A of the Industrial Disputes Act 1947 (vide judgement of Sri S. C. Deb in Writ No. 318 of 1975 dated 12-3-76 affirmed in appeal No. 418 of 1976). Question No. 2 was allowed to be proceeded with. There is thus no industrial dispute new regarding question No. 1. By Order dated 10-4-1984 it was held by this National Tribunal that there was no industrial dispute now existing between the parties in view of the concession made by the union on that day (i.e., 10-4-1984). Accordingly I pass a no dispute award in respect of issue No. 1. The result is that the present reference is now confined only to issue No. 2 aforesaid.

2. Dr. Ghosh appearing for the management raised several preliminary objections as to the maintainability of the reference. But his main objection is that this reference under section 36A of the Industrial Disputes Act 1947 is invalid and without jurisdiction because there is no difficulty or doubt in the interpretation of any provision of the award of 1970 or the settlement of 1971 and hence this order of reference is not in accordance with the provisions of section 36A of the Act. In my opinion he is right. Section 36A runs as under:

36A Power to remove difficulties—(1) If, in the opinion of the appropriate Government, any difficulty or doubt arises as to the interpretation of any provision of an award or settlement, it may refer the question to such Labour Court, Tribunal or National Tribunal as it may think fit.

(2) The Labour Court, Tribunal or National Tribunal to which such question is referred shall, after giving the parties an opportunity of being heard, decide such question and its decision shall be final and binding on all such parties.

On a perusal of the above it is clear that the question which can be referred under this section relates only to the doubt or difficulty as to the interpretation of any provision of the award or settlement. No other question can be referred. In *Kirloskar Oil Engines Ltd. v. Kirkee Poona* v. its workmen & two others, 1961—II LLJ 675(SC) the Supreme Court at page 677 said :

"....If the words used in any provision of an award are ambiguous or obscure and it is not reasonably possible to interpret them, the difficulty arising from the use of such ambiguous or obscure words may be resolved by moving the appropriate Government to make a reference under S.36A. It is obvious that any question about the propriety, correctness or validity of any provision of the award would be outside the perview of the enquiry contemplated by the section. If a party to the award is aggrieved by any of its provision on the merits, the only remedy available to it is by making an appeal, say for instance under Art 136 of the Constitution, to this Court. Aggrievance felt by a party against any provision of the award can be ventilated only in that way and not by adopting the procedure prescribed by S.36A. Thus, the enquiry permissible under S.36A is limited to the question of the interpretation of the provisions of the award in question and no more"

In *Britannia Engineering Co. Ltd. and another v Basu Mazumdar and others*, 1961—II LLJ 310(Cal) it was observed :

"...Government, however does not say on what point of interpretation it had any doubt or difficulty. No tribunal reading this order or reference, can understand or comprehend as to what doubts and difficulties had arisen in the mind of Government as regards interpretation. The first issue simply asks the tribunal to calculate as to whether any amount in respect of arrears in wages, etc., is due under the award. This is a mere matter of calculation and not interpretation. It is nobody's case that the entire award is incomprehensible. A part of the award may be incomprehensible or may have given rise to reasonable doubt. But no such point has been specified or referred to Under S. 36A of the Act, a reference cannot be made in order to supplement the original award. All that can be referred under this section is an interpretation of an award already made. The implementation thereof will have to be made on the strength of the original award and not the award which interprets it."

Sri Nagarajan for the Union, however cited the case of *Ballapur Collieries v. the Presiding Officer Central Government Industrial Tribunal, Dhanbad and others*, AIR—1972(SC) 1216 wherein at page 1220 it was observed :

"Now, quite clearly proceedings for removing difficulties or doubts arising as to the interpretation of any provision of the Majumdar Award must be construed to have the effect of reviving those earlier proceedings for the limited purpose of considering the removal of such difficulty or doubt. It is only by virtually reopening the proceedings of the earlier reference that the purpose and object of correct interpretation of that award and of the removal of difficulties or doubts arising therefrom could be achieved. The legal effect of reference under S.36A must, therefore, in our opinion be to reopen the earlier reference proceedings which terminated in the Majumdar Award, though only for the limited purpose of the interpretation of the provision of that Award in respect of such difficulties or doubts as required removal."

In my opinion this observation does not help the union. The re-opening of the earlier reference is only for the limited purpose of the interpretation of the provision of the award in respect of which difficulty or doubt required removal. Clearly, therefore, the scope of the enquiry under this section has not been enlarged and is limited to the decisions on the difficulties or doubts arising as to the interpretation of any provision in the award or settlement.

3. Let us now see whether there is any such difficulty or doubt in the words used in the Award (Ext. M-3) or the settlement (Ext. M-2) in the present case. The Award Ext M-3, in respect of which the reference under section 36A of the Industrial Disputes Act has been made, provides as follows :

"After 1968 revision is to be made every year in January on the basis of the average of the previous year as soon as the figures are available, provided the average of the 12 months differs by 10 points or more from the average of the year immediately preceding the previous year. The rate of revision is to be 50 paise per point."

Under the Award (Ext. M-3) there is to be revision every year. Such revision would be on the basis of the average of 12 months immediately preceding. But the revision will take place only if such average differs by 10 points or more from the average of the year immediately preceding, and that if the difference is less than 10 points, then no revision will be made. Only if the difference is 10 points or more, then the revision would be made at the rate of 50 paise per point. It is absolutely clear that there can be no revision unless there is a difference of 10 points or more. Everyone, including the workmen, understood that that was so. Accordingly, the workmen at Delhi, as also at Calcutta, raised demands that instead of revision taking place when there was a rise of 10 points or more, revision should take place when the rise was less than 10 points. Thus the employees at Delhi through the Statesman Employee's Union of which

Sri Nagarajan was the General Secretary, raised a charter of demands which is at page 11 of Ext. M-2. The demand was as follows :—

10. Linkage Dearness Allowance.—All things remaining the same, the rate of Linkage Dearness Allowance should be 0.75 paise per point instead of 0.50 paise and the payment be made even if the rise is below 10 points in a year".

This demand as per clause 10 of the Charter of Demands of the Delhi union clearly proceed on the basis that under the award there can be no revision unless there is a rise of 10 points or more. The Delhi union also demanded in clause 10 that the rate of revision should be 75 paise per point instead of 50 paise per point as provided in the award. After this demand a prolonged discussion and negotiation took place and thereafter a settlement (Ext. M-2) was arrived at, which was signed by Mr. Nagarajan, and this settlement provided that the rate of revision would be 55 paise per point instead of 50 paise per point, but it did not revise the 10 point formula and did not accept the demand in clause 10 of the charter of demands that the revision should take place "even if the rise is below 10 points in a year". Clause 10 of the settlement (Ext. M-2) provides as follows :—

- "10. Dearness Allowance linked up with All India Average Consumer Price Index Number : All conditions remaining the same as awarded by the National Tribunal the rate of revision shall be changed from 0.50 paise to 0.55 paise with effect from January 1, 1971 onwards."

This settlement dated 8-1-1971 (Ext. M-2) was arrived at under section 18(3) of the Industrial Disputes Act, 1947 before the Conciliation Officer. By this settlement the revision of 10 points formula as asked for in the charter of demands was rejected. Clause 17 of the settlement (Ext. M-2) provides "that this Memorandum of Settlement disposes of all disputes between the Company and the Union, in connection with the implementation of the National Tribunal Award and also the demand raised by the latter. It may be mentioned that Sri Nagarajan in his evidence has accepted the execution and validity of the settlement dated 8 January 1971. He has said "I have signed this settlement dated 8-1-1971. I agree with all provisions in the settlement and accept it". He has further said "I agree that this charter of demands was settled by the settlement dated 8 January 1971". He has not said that there is any difficulty or doubt in understanding any word of the award or settlement. He has deposed before me. To me he appeared to be very intelligent person and fully capable of understanding the award and the settlement. He also has not stated that there was any doubt or difficulty. What he says is that because of the 10 point formula there was hardship but that is a different matter. He is not claiming interpretation of any word of the 10 point formula contained in the award or settlement as being doubtful or difficult. In short, he wants nothing but a change in the terms of the award and settlement respecting the 10 point formula contained therein. That is not permissible under section 36A. There are also some circumstances to show that there is no doubt or difficulty in interpreting the award or settlement. There are 1600 employees of the Statesman Ltd. out of whom 450 are at Delhi and 1150 are at Calcutta. Out of the 450 employees at Delhi, Sri Nagarajan has filed authority representing only 126 employees. The evidence shows that all the employees in Calcutta numbering about 1150 have accepted the Award and the settlement and are not claiming that they are entitled to revision of the dearness allowance. By the settlement with the Calcutta employees the demand for the revision of 10 point formula was given up as appears from settlements dated 31 December 1970 (Ext M-16) and 30 December 1970 (Ext. M-17). Further, the employees at Delhi also have accepted dearness allowance in the manner calculated by the Company and only a small minority at Delhi are now alleging hardship about the payment. Mr. Captain (MW-1) has filed a chart (Ext. M-1) which contains the details as to when dearness allowance was revised. It was not revised only in 3 years, namely in 1969 when there was a 6 point rise, in 1970 when there was a 2 point fall and in 1972 when there was a 7 point rise. Revision was naturally not made in these years because there was no 10 point rise or fall. Revision took place in other years whenever there was 10 point rise or fall.

4. Sri Nagarajan argued that after the Palekar Award of October 1979 the pricing of the cost of Living Index

points is for 6 points slab in that award unlike for per point rise in the settlement. In my opinion the argument is unconvincing. As deposed to by Mr. M.B. Captain, it is not a fact that under the award, per point rise 30 paise is payable; it is payable only if the point rise is 10 points slab or above 10 points in the year compared to the previous year. Anyway we are not concerned with the interpretation of the Palekar award in the reference. Sri Nagarajan himself has admitted in his evidence that "It is a fact that after the Palekar award of October 1979 linkage DA is not paid either on the wage board recommendation or National Tribunal Award or the settlement of January 8, 1971 but is paid only on the basis of the Palekar award." Clearly, therefore, the award of 1970 and the settlement of 1971 are no longer operative after the Palekar Award of 1979 and that is the end of this matter in this regard.

5. From the above is not doubt that the Award and the settlement are absolutely clear and the workmen have also understood the same as such. Therefore, there is no scope for any reference under section 36A. On a plain reading of the award or the settlement, it is obvious that there can be no revision of the dearness allowance unless there is a 10 points rise or fall. In the present case the reference merely about the factual implementation of the award or settlement and not about the interpretation of it. The government does not state on what point of interpretation it has doubt or difficulty in the words used in the award or settlement. No tribunal can understand what doubt or difficulty arose in the mind of the government in interpreting the words of the relevant clause of the award of settlement as regards the dearness allowance. The issue in the reference may involve the calculation of the amount of dearness allowance which is being paid or which may be payable. By no stretch of imagination it can be said to involve any question of interpretation as to doubt or difficulty in the words used in the award or settlement. On the basis of the principles laid down in the aforesaid case of the Supreme Court and of the High Court I hold that the reference may involve the calculation of the amount Act 1947 is illegal and without jurisdiction.

6. In this view of the matter there is no question of answering the issue in the affirmative or negative. The reference is held to be incompetent, illegal and without jurisdiction. This is my award.

M.P. SINGH, Presiding Officer
[No. L-51011/33/74-I&E(I)]
ASHOK SAHU, Dy. Director

नई दिल्ली, 22 जनवरी 1985

का० आ० 508.--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारत कोकिंग कोल लि० के भुली टाउन्शिप प्रशासनिक विभाग के प्रबंधक से सम्बद्ध नियोज्जकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं० 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार का 14-1-1985 का प्राप्त हुआ था।

New Delhi, the 22nd January, 1985

S.O. 508.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2 Dhanbad, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bhuli Township Administrative Department of M/s. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 14th January, 1985.

ANNEXURE

BEFORE THE SHRI I N SINHA, PRESIDING OFFICER,
CENTRAL GOVERNMENT TRIBUNAL (NO. 2)

DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 75 of 1984

Employers in relation to the management of Bhuli Township Administrative Department of M/s. Bharat Coking Coal Ltd.

AND

Their workmen.

APPEARANCES :

On behalf of the employers—None.

On behalf of the workmen—None.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 7th January, 1985

AWARD

This is an industrial dispute under S.10 of the I.D. Act, 1947. The Central Government by its order No. L-20012-(276)/84-D. III(A) dated 25-10-84 has referred this dispute to this Tribunal for adjudication with the following schedule:

SCHEDULE

"Whether the demand of the Indian National Coal Mines Engineering Workers' Association, Bharat Coking Coal Ltd. Zone, for payment of annual increments to Shri Ali Raja Ansari, Electrician Helper, Bhuli Township Administrative Department, from 1980 and promotion to category-V by the management of M/s Bharat Coking Coal Limited, is justified? If so, to what relief the workman concerned is entitled?"

2. The reference was received by this Tribunal on 29-10-84. The union which had raised the dispute did not file the statement of claim, with relevant documents, list of reliance and witnesses with the Tribunal within 15 days of the receipt of the order of reference and also did not forward any copy of the same to the opposite party involved in this dispute. A notice was also issued to the union concerned, but in spite of three adjournments the union did not file the statement of claim, etc. with the Tribunal nor sent any copy to the management and as such, no written statement has been filed on behalf of the management as well.

3. It is for the sponsoring union to file the statement of claim, etc. within 15 days of the receipt of the order of reference. But the Tribunal took special care to give them notice to comply with the provisions of law in time as the amended rules are new. As the union is taking no step and has not even cared to file the statement of claim, etc. it appears that they have no case and as such the statement of claim, etc. have not been filed by them.

In view of the above, I hold that the demand of the Indian National Coal Mines Engineering Workers' Association Bharat Coking Coal Limited, Zone, for payment of annual increments to Shri Ali Raja Ansari, Electrician Helper, Bhuli Township Administrative Department, from 1980 and promotion to Category-V by the management of M/s. Bharat Coking Coal Limited, is not justified. Consequently, the workman is entitled to no relief.

This is my award.

I. N. SINHA, Presiding Officer.

[No. L-20012(276)/89-D.III(V)]

का० आ० 509.--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारत कोकिंग कोल लि० को मुराईडीह कोलिरी के प्रबंधक से सम्बद्ध नियोज्जकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं० 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-1-1985 को प्राप्त हुआ था।

S.O. 509.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government Industrial Tribunal No. 2, Dhanbad, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Muraidih Colliery of M/s. Bharat Coking Coal Ltd. and their workmen, which was received by the Central Government on the 18th January, 1985.

ANNEXURE

BEFORE SHRI I. N. SINHA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
(NO. 2) AT DHANBAD

Reference No. 35 of 1983

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Muraidih Colliery of Messrs. Bharat Coking Coal Ltd. and their workmen.

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the workman—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 14th January, 1985

AWARD

The Government of India in the Ministry of Labour & Rehabilitation in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947, has referred the following dispute to this Tribunal for adjudication under Order No. L-20012(302)/82-D.III(A), dated, the 7th April, 1983.

SCHEDULE

Whether the action of the management of Messrs. Bharat Coking Coal Ltd. in relation to their Muraidih Colliery in terminating the services of Shri Raghu Rajwar, terminated transfer with effect from 18-9-1976 is justified and to what extent, if any the workman is entitled to?"

Soon after the receipt of the order of reference, notices were duly served upon the parties. Both the parties appeared and filed their respective W. S. thereafter several adjournments were granted for filing documents by the parties, but ultimately on 28-12-84 Shri B. Joshi, Advocate representing the employers filed before me a memorandum of settlement. I have gone through the terms of settlement and I find the same to be fair and proper. I accordingly pass an Award in terms of the memorandum of settlement which is beneficial to both the parties. The memorandum of settlement forms a part of the Award as annexure.

I. N. SINHA, Presiding Officer.

[No. L-20012(302)/82-D.III(A)]

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

Petition of compromise in Ref. No. 35/83

The humble petition on behalf of the parties to above reference most respectfully sheweth :

1. That, without prejudice to the respective contentions of the parties contained in the written statement, they have agreed to settle the dispute on the following terms :

TERMS OF SETTLEMENT

1. It is agreed that Sri Raghu Rajwar, Trammer cat-III shall be reinstated on the job with immediate effect as semi-

skilled worker on the initial basic of cat-III(TR) as per NCWA-III.

2. It has been agreed that Sri Raghu Rajwar shall be posted at Muraidih colliery later on he shall be transferred to Block-II.

3. It has been agreed that Sri Raghu Rajwar will work as time rated worker as semi-skilled worker in cat-III.

4. It has been agreed that all the period of absence shall be treated as leave without pay for the purpose of continuity of service.

5. It has been agreed that a copy of settlement shall be submitted to Tribunal No. 2.

6. It has been agreed that the union and the workman shall not claim for any arrear wages or any dues whatsoever in future.

7. It has been agreed that after this settlement no dispute subsists.

That in view of the settlement there remains nothing to be adjudicated.

It is, therefore, humbly prayed that the settlement may kindly be accepted and Award may be passed in terms of settlement.

Signature of Representing the Management.

(V.R. JOSHI)

Personnel Manager,

Barora Area.

(M. K. Singh),

Sr. Pers. Officer,

Barora Area.

WITNESSES :

Shyamal Chandra Bhattacharya,

President, Area-1,

B.C.K. Union.

Signature of workman.

(Raghu Rajwar)

Trammer, cat-III,

Muraidih colliery.

नई दिल्ली, 23 जनवरी, 1985

का० आ० 510—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भोरा नार्थ और भोरा साउथ कोलियरीज भारत कोकिंग कोल लि० के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं० 3 धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-1-1985 को प्राप्त हुआ था।

New Delhi, the 23rd January, 1985

S.O. 510.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 3, Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bhowra North and Bhowra South Collieries of Messrs Bharat Coking Coal Ltd., and their workmen, which was received by the Central Government on the 18th January, 1985.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 16/76

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Employers in relation to the management of Bhowra
North and Bhowra South of M/s. B.C.C. Ltd.,
P.O. Bhowra (Dhanbad).

AND

Their workmen.

APPEARANCES :

For the Employers—Shri R. S. Murthy, Advocate.

For the Workmen—Shri J. D. Lal, Advocate.

INDUSTRY : Coal

STATE : Bihar

Dated, the 27th December, 1984

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/s 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-20012/90/75-D.III (A) dated the 23rd February, 1976.

SCHEDULE

"Whether the action of the management of B.C.C. Ltd., in relation to Bhowra (North) Colliery and Bhowra (South) Colliery, P.O. Bhowra, Dist. Dhanbad is justified in not placing the underground Munshis in Clerical Grade II as recommended by the Central Wage Board for Coal Mining Industry? If not, to what relief are these workmen entitled and from which date?"

2. According to the union the different collieries have employed Underground Munshis in the Clerical cadre to discharge multifarious functions and the duties vary from colliery to colliery and their duties have not been standardised. The Central Wage Board placed these Munshis in Clerical Grade III but the Wage Board laid down that the pay scales prescribed for different grades or categories were the absolute minimum below which no coal mine was allowed to go, but did not preclude individual management from further revising and raising the different pay scales and accordingly in Tatas which owns six collieries placed the Underground Munshis in clerical Grade II.

3. It is stated that the Underground Munshis in Bhowra North and Bhowra South Collieries besides doing their ordinary work viz. noting down the output of the miners in the shift and submitting a report to the management also are performing multifarious and more onerous duties as detailed in paragraph 14 of their written statement. It is submitted that even prior to take over these Munshis were performing those duties for which they were getting some additional emoluments from the private employers viz. Karam Chand Thapar. It is submitted that they are performing additional duties and so they should be placed in Category II clerical.

4. The defence of the management, however, is that the Central Wage Board recommendation placed the Munshis in Clerical Grade III which was implemented by the employers and after nationalisation also the present management placed them in Category III as per Coal Wage Board recommendation. It is submitted that they are not doing any additional duties and so they are not entitled to Clerical Grade II. It is, however, admitted that the N.C.W.A.-III provided that if the Underground Munshis perform workmen additional duties they should be placed in Grade II and accordingly options were called for from these workmen and after receiving the option they have been put in Clerical Grade II with effect from August or September 84. It is submitted that the concerned workmen have got no case and that they are not entitled to any relief.

5. The point for consideration is as to whether the action of the management in not placing the Underground Munshis in Clerical Grade II as recommended by the Central Wage Board is justified. If not, to what relief are these workmen entitled and from which date.

6. It is not denied that the Underground Munshis were placed in Clerical Grade III by the Central Wage Board which was accepted by the present management also. The case of the concerned workmen, however, is that they are performing the additional duties besides performing the duties of Underground Munshis and hence they are entitled to one grade higher. The fact that they are performing additional duties has been denied by the management. The union however, in paragraph 14 of their written statement has given the details of additional work performed by these Munshis since before take over and WW-1 who is one of the concerned workmen has stated that they are performing additional duties. The Wage Board recommendation, however, has not prescribed the job description of Underground Munshis. It will, however, appear that the R.C.M.S. raised the same type of claim in which after conciliation and failure report the matter was referred to the Labour Ministry. The Labour Ministry by their letter Ext. M-3 dated 28-8-82 informed the management that it was a colliery-wise problem and hence it should be referred to the J.B.C.C.I. framed under National Coal Wage Agreement (N.C.W.A.). The N.C.W.A. III came into force from 1-1-83 (Ext. M-4). It provided that such of the Underground Munshis who may be performing the following jobs in addition to their normal duties would be given clerical Grade II :

- (a) Preparation and issue of measurement slips in respect of piece rated workers.
- (b) Filling up of Forms IV.
- (c) Measurements of Lead, Lift and Pushing.
- (d) Taking attendance of workers concerned.

and it provided that such Munshis should be placed in Grade II within 4 months of signing the agreement. Accordingly options were called for from these Munshis which have been marked Ext. W-1 series. In all those options the concerned workmen noted that they are performing those additional duties since before. This is also proved from Form IVA (Ext. W-2 series) which show that these Munshis also filled up Form IVA and also noted the Lead and Lift. There is nothing to doubt the authenticity of these documents. Ext. W-3 series are also the Form IVA which show that these form also were filled up by the Munshis for Trammers. Exts. W-4 and W-5 are the Munshi's report book and daily report book which show that besides doing their ordinary work they perform the additional duties as prescribed in N.C.W.A.-III. The other documents are the charge-sheets which also show that they performed some additional duties. MW-3 is Sri B. N. Jha, Personnel Manager who has admitted in paragraph 7 of his cross-examination that the option as mentioned in N.C.W.A.-III is only a formality as all those jobs were performed earlier except measurement of Lead and Lift. MW-4 is another Personnel Manager in paragraph 6 of his deposition has admitted that in Bhowra North and Bhowra South Collieries the Munshis measure the Lead & Lift once in a week and in Form IVA measurement of Lead and Lift is noted and that Form IVA is filled up by the Munshis. Thus from the evidence of these 2 witnesses it is clear that Form IVA is also being filled up by these Munshis which are admittedly additional work. It is also proved that the Lead and Lift is also filled up by them which is supported from Exts. W-2 and W-3 series. Thus it is clear that the Munshis in Bhowra North and Bhowra South collieries are doing the additional duties since long.

7. Ext. M-1 is a letter dated 18-4-84 issued by the J.B.C.C.I. which provided that such of the Munshis who are performing additional job as prescribed under N.C.W.A.-III would be given clerical Grade II and such cases should be reviewed by the management and they should be placed in Grade II. Ext. M-1/1 is another circular of J.B.C.C.I. dated 7-6-84 which directed that the matter was further examined by the Standardisation Committee and it was agreed that the Munshis who have been doing all the 4 jobs listed in the agreement will be upgraded from 1-1-83 or from the actual date they have been performing the said

job after 1-1-83. Thus as per this circular which is the document of the management themselves it is clear that the Munshis performing the 4 jobs listed in the agreement were to be upgraded from 1-1-83 which means that they should be placed in Clerical Grade II. Under these circumstances there is no reason as to why the Underground Munshis in Bhowra North and Bhowra South Collieries should not be given clerical Grade II when they are performing the additional duties as prescribed under N.C.W.A. III.

8. The question, however, is as to from which date. The Coal Wage Board agreement placed the Underground Munshis in Clerical Grade III. The N.C.W.A. I and II did not prescribe that they should be given any higher grade even if they were performing additional duties. The list of Munshis filed by the management would show that most of them were appointed much after the date of

nationalisation. In such circumstances as per Coal Wage Board recommendation they are not entitled to any higher grade since the date they claim it. They are, however, entitled to Clerical Grade II from 1-1-83 as recommended by N.C.W.A.-III.

9. Considering these, I hold that the Underground Munshis of Bhowra North and Bhowra South Collieries are entitled to get Clerical Grade II with effect from 1-1-83 and they are also entitled to get difference of wages from that date.

10. The award is passed accordingly.

J. N. SINGH, Presiding Officer

[No. L-20012(90)/75-D.III(A)]

A. V. S. SARMA, Desk Officer